

**FY 2013
PROPOSED
FEE RULE
WORK PAPERS**

FY 2013

Proposed Fee Rule

Work Papers

The supporting information to the FY 2013 Final Fee Rule is contained in the following work papers. The items identified in the Table of Contents are located behind a corresponding Tab. At the beginning of each Tab is a cross reference, if appropriate, to the location of the subject matter and Tables found within the Proposed Fee Rule Document. For example, a reference to "**Section III.**" is the supporting information for: **Section III. Proposed Action A. Amendments to 10 CFR Part 170 1. Hourly Rate.**

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Budget and Fee Recovery

Section III

Table I

The NRC's total budget authority for FY 2013 is \$1,053.2 million. The non-fee items include \$1.4 million for WIR activities, and \$24.3 million for generic homeland security activities. Based on the 90 percent fee-recovery requirement, the NRC will have to recover approximately \$924.8 million in FY 2013 through Part 170 licensing and inspection fees and Part 171 annual fees. The amount required by law to be recovered through fees for FY 2013 would be \$15.2 million more than the amount estimated for recovery in FY 2012, an increase of 1.7 percent.

The FY 2013 fee recovery amount is increased by \$0.2 million to account for billing adjustments (i.e., for FY 2013 invoices that the NRC estimates will not be paid during the fiscal year, less payments received in FY 2013 for prior year invoices). This leaves approximately \$925 million to be billed as fees in FY 2013 through Part 170 licensing and inspection fees and Part 171 annual fees.

The NRC estimates that \$363.3 million would be recovered from Part 170 fees in FY 2013. This represents a increase of approximately 5.2 percent as compared to the estimated Part 170 collections of \$345.2 million for FY 2012. The remaining \$561.7 million would be recovered through the Part 171 annual fees in FY 2013, which is an increase of 1.1 percent compared to estimated Part 171 collections of \$555.8 million for FY 2012.

See Tab "Budget Authority (FY 2013)" for supplemental information on the distribution of budgeted FTE and contract dollars.

Budget and Fee Recovery
FY 2013
(\$ in Millions)
(Individual dollar amounts may not add to totals due to rounding)

	<u>FY 2013</u>
NRC Budget Authority	\$1,053.2
Nuclear Waste Fund, Waste Incidental to Reprocessing, General Fund, generic homeland security activities	<u>-\$25.7</u>
Balance	\$1,027.5
Fee Recovery Rate for FY 2013	<u>x .90</u>
Total Amount to be Recovered For FY 2013	\$924.8
Carryover from Prior Year	<u>\$0.0</u>
Amount to be Recovered Through Fees and Other Receipts	\$924.8
Estimated amount to be recovered through Part 170 fees and other receipts	<u>-\$363.3</u>
Estimated amount to be recovered through Part 171 annual fees	\$561.5
Part 171 billing adjustments	<u>\$0.2</u>
Adjusted Part 171 annual fee collections required	\$561.7

Part 170 Fees

Section III.A

Part 170 Fees

Determination of Hourly Rate

Section III.A.1

Table II

Proposed Hourly Rate is \$277

The NRC's hourly rate is derived by dividing the sum of recoverable budgeted resources for (1) mission direct program salaries and benefits; (2) mission indirect salaries and benefits and contract activity; and (3) agency corporate support and Inspector General (IG), by mission direct full-time equivalent (FTE) hours. The only budgeted resources excluded from the hourly rate are those for mission direct contract activities.

The NRC has reviewed data from its time and labor system to determine if the annual direct hours worked per direct FTE estimate requires updating for the FY 2013 fee rule. Based on this review of the most recent data available, the NRC determined that 1,371 hours is the best estimate of direct hours worked annually per direct FTE. This estimate excludes all non-direct activities, such as training, general administration, and leave.

DETERMINATION OF HOURLY RATE
CALCULATION OF FTE RATES BY PROGRAM
(S&Bs only - no overhead)

This is for the purpose of converting FTE to \$.

PROGRAM	(1) Total FTE	(2) Total S&B(\$,K):	(2)/(1) FTE Rate (\$)
NUCLEAR REACTOR SAFETY	1,794	273,802	152,612
General Fund	22	4,748	216,804
NUCLEAR MATERIAL SAFETY (Excl. NWF & General Fund)	485	74,063	152,613
NWF & General Fund	33	7,005	214,877
MANAGEMENT AND SUPPORT	1,539	234,795	152,613
NWF & General Fund	-	-	-
INSPECTOR GENERAL	58	9,628	166,000
TOTAL	3,930	604,041	

MISSION DIRECT RESOURCES

(in actual \$)	nonlabor	labor
NUCLEAR REACTOR SAFETY (BUDGET PROGRAM)	\$127,815,000	\$273,802,000
NUCLEAR MATERIALS AND WASTE SAFETY (BUDGET PROGRAM)	\$26,212,000	\$74,063,000
TOTAL	\$154,027,000	\$347,865,000

PROGRAM OVERHEAD (or MISSION
INDIRECT) RESOURCES

(in actual \$)	nonlabor	labor
NUCLEAR REACTOR SAFETY (BUDGET PROGRAM)	\$16,080,000	\$0
NUCLEAR MATERIALS AND WASTE SAFETY (BUDGET PROGRAM)	\$3,998,000	\$0
TOTAL	\$20,078,000	\$0

AGENCY OVERHEAD (or MANAGEMENT
AND SUPPORT) RESOURCES

(in actual \$)	nonlabor	labor
TOTAL	\$255,722,000	\$243,507,322

TOTALS	Total (\$)
Direct Labor	\$348,780,678
Direct Nonlabor (excl. from hourly rates)	\$159,412,000
Program Overhead Labor	\$0
Program Overhead Nonlabor	\$20,078,000
Agency Overhead Labor	\$243,507,322
Agency Overhead Nonlabor	\$255,722,000
TOTAL	\$1,027,500,000

DETERMINATION OF HOURLY RATE CONTINUED

Total included in hourly rates:	% total	value
Direct Labor	40.18%	\$348,780,678
Program Overhead	2.31%	\$20,078,000
Agency Overhead	57.51%	<u>\$499,229,322</u>
Total	100.00%	<u>\$868,088,000</u>
less offsetting receipts*		\$55,896
Total in hourly rates**		\$868,032,104

Direct FTE	2,285
FTE rate** ('Total in hourly rates' divided by 'Direct FTE')	\$379,841
Mission direct hours worked annually	1,371
FTE converted to hours ('Direct FTE ' multiplied by 'Mission direct hours worked annually')	3,133,283
Hourly rate** ('Total in hourly rates' divided by 'FTE converted to hours')	\$277

*Calculation of offsetting receipts	Total		value
FOIA	%		
	\$23,876	100%	\$23,876
INDEMNITY	\$32,020	100%	\$32,020
TOTAL			<u>\$55,896</u>

**Since offsetting receipts can not be used to offset total fee collections, offsetting receipts are not subtracted from numerator for FTE rate. Per fee policy documents, we can subtract these receipts when calculating hourly rates.

Part 170 Fees

Licensing Fees

Section III.A.2

Flat application fees are calculated by multiplying the average professional staff hours needed to process the licensing actions by the proposed professional hourly rate (\$277 for FY 2013). The agency estimates the average professional staff hours every other year as part of its biennial review of fees which performed in FY 2013.

DETERMINATION OF MATERIALS PART 170 APPLICATION FEES and Average Inspection Costs ** FY 2013			
FY2013 Hourly Rate \$277			
Materials Part 170 Fee	FY 2013 Estimated Professional Process Time (Hours)*	FY 2013 Fee/Cost (Professional Time x FY 2013 Hourly Rate)	FY 2013 Fee/Cost (Rounded)
Category			
1. Special Nuclear Material			
1C. Industrial Gauges			
Inspection Costs**	7.7	\$2,133	\$2,100
New License	4.6	\$1,274	\$1,300
1D. All Other SNM Material			
Inspection Costs**	11	\$3,047	\$3,000
New License	9.3	\$2,576	\$2,600
1F. All Other SNM Material			
Inspection Costs**	6	\$1,662	\$1,700
New License	10	\$2,770	\$2,800
2. Source Material			
2B. Shielding			
Inspection Costs**	6	\$1,662	\$1,700
New License	4.4	\$1,219	\$1,220
2C. All Other Source Material			
Inspection Costs**	15.1	\$4,183	\$4,200
New License	9.9	\$2,743	\$2,700
3. Byproduct Material			
3A. Mfg-Broad Scope			
Inspection Costs**	59.8	\$16,567	\$16,600
New License	46.8	\$12,965	\$13,000
3B. Mfg-Other			
Inspection Costs**	30.3	\$8,394	\$8,400
New License	14	\$3,879	\$3,900
3C. Mfg/Distribution Radiopharmaceuticals			
Inspection Costs**	20.9	\$5,790	\$5,800
New License	17.6	\$4,876	\$4,900
3D. Distribution Radiopharmaceuticals/No Process			
Inspection Costs**	0	\$0	\$0
New License	0	\$0	\$0
3E. Irradiators/Self-Shielded			
Inspection Costs**	19.6	\$5,430	\$5,400
New License	11.5	\$3,186	\$3,200
3F. Irradiators < 10,000 Ci			
Inspection Costs**	15.7	\$4,349	\$4,300
New License	23.4	\$6,483	\$6,500
3G. Irradiators => 10,000 Ci			
Inspection Costs**	51.1	\$14,157	\$14,200
New License	223.2	\$61,834	\$61,800
3H. Exempt Distribution/Device Review			
Inspection Costs**	11.3	\$3,131	\$3,100
New License	18.3	\$5,070	\$5,100

DETERMINATION OF MATERIALS PART 170 APPLICATION FEES and Average Inspection Costs ** FY 2013				
FY2013 Hourly Rate \$277				
3I. Exempt Distribution/No Device Review				
Inspection Costs**	11.1	\$3,075	\$3,100	
New License	41.2	\$11,414	\$11,400	
3J. General License Distribution/Device Review				
Inspection Costs**	8.7	\$2,410	\$2,400	
New License	7.2	\$1,995	\$2,000	
3K. General License Distribution/No Device Review				
Inspection Costs**	10.4	\$2,881	\$2,900	
New License	4.1	\$1,136	\$1,100	
3L. R&D-Broad				
Inspection Costs**	21.3	\$5,901	\$5,900	
New License	19.7	\$5,458	\$5,500	
3M. R&D-Other				
Inspection Costs**	14.9	\$4,128	\$4,100	
New License	13.1	\$3,629	\$3,600	
3N. Service License				
Inspection Costs**	24.8	\$6,870	\$6,900	
New License	26.6	\$7,369	\$7,400	
3O. Radiography				
Inspection Costs**	20.6	\$5,707	\$5,700	
New License	14.5	\$4,017	\$4,000	
3P. All Other Byproduct Material				
Inspection Costs**	16.2	\$4,488	\$4,500	
New License	7.2	\$1,995	\$2,000	
3R1. Radium-226 (less than or equal to 10x limits in 31.12)				
Inspection Costs**	24.2	\$6,704	\$6,700	
New License	9.2	\$2,549	\$2,500	
3R2. Radium-226 (more than 10x limits in 31.12)				
Inspection Costs**	16.2	\$4,488	\$4,500	
New License	7.2	\$1,995	\$2,000	
3S. Accelerator Produced Radionuclides				
Inspection Costs**	21.3	\$5,901	\$5,900	
New License	47.4	\$13,132	\$13,100	
4. Waste Disposal/Processing				
4B. Waste Packaging				
Inspection Costs**	19.5	\$5,402	\$5,400	
New License	21.4	\$5,929	\$5,900	
4C. Waste-Prepackaged				
Inspection Costs**	14.4	\$3,989	\$4,000	
New License	18	\$4,987	\$5,000	
5. Well Logging				
5A. Well Logging				
Inspection Costs**	19.8	\$5,485	\$5,500	
New License	13.9	\$3,851	\$3,900	

DETERMINATION OF MATERIALS PART 170 APPLICATION FEES and Average Inspection Costs ** FY 2013			
FY2013 Hourly Rate \$277			
6. Nuclear Laundries			
6A. Nuclear Laundry			
Inspection Costs**	21.7	\$6,012	\$6,000
New License	79.7	\$22,080	\$22,100
7. Human Use			
7A. Teletherapy			
Inspection Costs**	16.3	\$4,516	\$4,500
New License	32.1	\$8,893	\$8,900
7B. Medical-Broad			
Inspection Costs**	37.3	\$10,333	\$10,300
New License	31.2	\$8,644	\$8,600
7C. Medical-Other			
Inspection Costs**	15	\$4,156	\$4,200
New License	12.2	\$3,380	\$3,400
8. Civil Defense			
8A. Civil Defense			
Inspection Costs**	24.2	\$6,704	\$6,700
New License	9.2	\$2,549	\$2,500
9. Device, product or sealed source evaluation			
9A. Device evaluation-commercial distribution			
Application - each device	19.5	\$5,402	\$5,400
9B. Device evaluation - custom			
Application - each device	32.4	\$8,976	\$9,000
9C. Sealed source evaluation - commercial distribution			
Application - each source	19	\$5,264	\$5,300
9D. Sealed source evaluation - custom			
Application - each source	3.8	\$1,053	\$1,050
10. Transportation			
10B. Evaluation - Part 71 QA program			
Application - approval	15.1	\$4,183	\$4,200
17. Master Materials License¹			
Inspection Costs**	235.7	\$65,297	\$65,300
New License	540	\$149,599	\$149,600
NOTES:			
Rounding: <\$1000 rounded to nearest \$10, =or>\$1000 and <\$100,000 rounded to nearest \$100, =or>\$100,000 rounded to nearest \$1,000			
* hours based on FY 2011 Biennial Review			
** Inspection costs are used in computation of the Annual fees for the category			
¹ Beginning with FY 2011 fee rule, the Master Materials License Part 170 application fee was eliminated. Per FSME's recommendation in their Biennial Review, the fee for a new MML license will be fully costed based on the hours spent on reviewing a new application.			

Part 170 Fees

Export and Import Fees

Section III.A.2

Flat application fees are calculated by multiplying the average professional staff hours needed to process the licensing actions by the proposed professional hourly rate (\$277 for FY 2013). The agency estimates the average professional staff hours every other year as part of its biennial review of fees. The NRC conducted a biennial review for the FY 2013 fee rule, which included license and amendment applications for import and export licenses.

DETERMINATION OF MATERIALS PART 170 APPLICATION FEES and Average Inspection Costs ** FY 2013			
FY2013 Hourly Rate \$277			
DETERMINATION OF EXPORT AND IMPORT PART 170 FEES FY 2013 FY 2013 Hourly Rate = \$277			
Export and Import Part 170 Fees Category	FY 2013 Estimated Professional Process Time (Hours)*	FY 2013 Fee/Cost (Professional Time x FY 2013 Hourly Rate)	FY 2013 Fee/Cost (Rounded)
10 CFR 170.21, Category K			
Subcategory			
1	65	18,007	18,000
2	35	9,696	9,700
3	16	4,433	4,400
4	12	3,324	3,300
5	5	1,385	1,400
10 CFR 170.31, Category 15			
Subcategory			
A	65	18,007	18,000
B	35	9,696	9,700
C	16	4,433	4,400
D	12	3,324	3,300
E	5	1,385	1,400
F	55	15,237	15,200
G	32	8,865	8,900
H	24	6,649	6,600
I	1	277	280
J	55	15,237	15,200
K	32	8,865	8,900
L	20	5,541	5,500
M	0	0	0
N	0	0	0
O	0	0	0
P	0	0	0
Q	0	0	0
R	5	1,385	1,400
NOTES:			
The application fees and amendment fees are the same for each subcategory because, per discussion with IP representatives, the processing time is the same for a new license or an amendment to the license.			
Rounding: <\$1000 rounded to nearest \$10, =or>\$1000 and <\$100,000 rounded to nearest \$100, =or>\$100,000 rounded to nearest \$1,000			
* data based on FY 2013 Biennial Review			

Part 170 Fees

Reciprocity Fees - Agreement State Licensees

Section III.A.2

The application fee for Agreement State licensees who conduct activities under the reciprocity provisions of 10 CFR 150.20 is determined using FYs 2010 and 2011 data and the FY 2013 hourly rate. The FYs 2010 and 2011 reciprocity fee data was provided as part of the FY 2013 biennial review of fees.

**DETERMINATION OF MATERIALS PART 170 APPLICATION FEES
and Average Inspection Costs **
FY 2013**

FY2013 Hourly Rate
\$277

**DETERMINATION OF RECIPROCITY PART 170 FEES
FY 2013**

NOTES:

The reciprocity application and revision fees are determined using FYs 2010 and 2011 data*, and the FY 2013 hourly rate.

The reciprocity application fee includes average costs for inspections, average costs for processing initial filings of NRC Form 241, and average costs for processing changes to the initial filings of NRC Form 241.

FY 2013 Hourly Rate:		\$277	
Average inspection costs:		Avg Inspection Costs (Avg. no. of hours for insp. x hourly rate)	Total Amount
Reciprocity Part 170 Fee Fee Category 16			
Inspection	Number of FY10 Inspections Conducted	18	
	Number of FY11 Inspections Conducted	<u>18</u>	
	Total	36	\$63,000
	Average for the 2 years	18	
Initial 241s	Number of FY10 Completions	230	
	Number of FY11 Completions	<u>224</u>	
	Total	454	\$158,900
	Average for the 2 years	227	
Revised 241s	Number of FY10 Completions	2002	
	Number of FY11 Completions	<u>1953</u>	
	Total	3955	\$197,750
	Average for the 2 years	1977.5	
APPLICATION FEE:			
Amount for inspections [Cost/Initial 241]		\$278	
Amount for initial filing of NRC Form 241[Cost/Initial 241]		\$700	
or revisions to initial filing of NRC Form 241 [Cost/Initial 241]		<u>\$871</u>	
Total Application Fee		\$1,849	
Application Fee Rounded		\$1,800	

* data based on FY 2013 Biennial Review

Part 170 Fees

General License Registration Fees

Section III.A.2

This fee under byproduct material is for registration of a device(s) generally licensed under part 31 of this chapter.

**DETERMINATION OF GENERAL LICENSE REGISTRATION FEE , FY 2013
(FEE CATEGORY 3Q)**

	<u>Total</u> <u>GL Resources</u>	<u>% Supporting</u> <u>Registrable GLs</u>	<u>Total Supporting</u> <u>Registrable GLs</u>
<u>FSME GL Program</u>			
budgeted FTE			
	Regions		
	HQ		0.10
budgeted contract \$			
	Regions		\$0
	HQ		\$186,000
full cost of FTE	\$379,841		\$379,841
total budgeted resources, FSME GL Program (equals full cost of FTE + contract \$)			\$223,984
portion of budgeted resources associated w/fee exempt GLs (nonprofit educational)			\$9,407
net to be recovered			\$214,577
fee assuming 650 registrable GLs			\$330
fee, rounded			\$300

Data based on the NRC budget documents and 10/10/12 email from Dennis Sollenberger(FSME GL program).

Part 171 Annual Fees

Section III.B

Part 171 Annual Fees

Application of Fee-Relief Adjustment and LLW Surcharge

Section III.B.1

Table III Table IV

The NRC applies the 10 percent of its budget that is excluded from fee recovery under OBRA-90, as amended (fee relief), to offset the total budget allocated for activities which do not directly benefit current NRC licensees. The budget resources for these fee-relief activities are totaled, and then reduced by the amount of the NRC's fee relief. Any difference between the fee relief and the budgeted amount of these activities results in a fee relief adjustment (increase or decrease) to all licensees' annual fees, based on their percent of the budget (i.e., over 80 percent is allocated to power reactors each year).

The FY 2013 budgeted resources for NRC's fee-relief activities are \$85.6 million. The NRC's 10 percent fee relief amount in FY 2013 is \$102.8 million, leaving \$17.1 million fee-relief surplus that will reduce all licensees' annual fees based on their percentage share of the budget. The FY 2013 budget for fee-relief activities is lower than FY 2012, primarily due to a decrease in budgeted resources for educational grants.

Separately, the NRC has continued to allocate the low-level waste (LLW) surcharge based on the volume of LLW disposal of three classes of licensees, operating reactors, fuel facilities, and materials users.

FY 2013 FEE-RELIEF ACTIVITIES AND LLW GENERIC SURCHARGE

FTE rate: \$379,841

	DIRECT RESOURCES		Less Part 170	FEE AMOUNT
	\$,M	FTE	materials decommissioning revenue, \$ M	(\$,M)
TOTAL NRC				
NONPROFIT EDUCATIONAL EXEMPTION	0.92	26		10.80
INTERNATIONAL ACTIVITIES	0.71	26		10.59
SMALL ENTITY SUBSIDY				8.15
AGREEMENT STATE OVERSIGHT	1.22	25		10.60
REGULATORY SUPPORT TO AGREEMENT STATES	2.55	39		17.36
ISL RULE/GENERAL LICENSEES/MOLY99/FELLOWSHIPS & SCHOLARSHIP	7.66	15		13.43
DECOMMISSIONING/RECLAMATION GENERIC	2.53	43	4.33	14.68
LLW GENERIC SURCHARGE	0.68	8		3.72
TOTAL	16.26	182.3		89.32

To meet the 90% fee recovery requirement for FY 2013, the Fee-Relief Activities are reduced by 10% of NRC's FY 2013 net budget authority (appropriation less Non-Recoverable Fee Items, as shown below)

	(\$,M)
Fee-Relief Activity (Total above less LLW generic surcharge) ²	85.61
Budget Authority minus NWF, Gen Fund, & generic HLS	1027.50
Percent reduction in fee recovery amount for FY 2013	10.0%
Reduction in annual fee recovery amount for FY 2013	102.75
Delta, Fee-Relief Activity (less generic LLW) and reduction in fee recovery amt	-17.14
Generic LLW Surcharge amount	3.72
Net adjustment to fee assessments	-13.43

DISTRIBUTION OF ADJUSTMENT TO FEE ASSESSMENTS

	LLW GENERIC SURCHARGE		FEE-RELIEF ACTIVITIES		TOTAL ADJUSTMENT
	PERCENT	\$,M	PERCENT	\$,M	\$,M
POWER REACTORS	53%	2.0	85.71%	-14.7	-12.7244
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	0	0	3.89%	-0.7	-0.6676
TEST AND RESEARCH REACTORS	0	0	0.17%	0.0	-0.0287
FUEL FACILITIES	37%	1.4	5.84%	-1.0	0.3752
MATERIALS	10%	0.372	2.74%	-0.470	-0.0986
TRANSPORTATION	0	0	0.42%	-0.1	-0.0726
RARE EARTH FACILITIES	0	0	0.00%	0.0	0.0000
URANIUM RECOVERY	0	0	1.25%	-0.2	-0.2140
TOTAL	100	3.72	100.03%	-17.1	-13.43

NOTES:

¹Non-Recoverable Fee Items: NWF, WIR and generic homeland security

²Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

**Mission Direct Budgeted Resources Allocated to
Nonprofit Education Exemption Fee-Relief Category**

FEE-RELIEF ALLOCATION DETERMINED BY OCFO, IN CONSULTATION WITH PROGRAM OFFICES						
	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Construction Inspection	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Mission IT	3	0.0	3	0.0	0	0.0
Part 50	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Vendor Inspection	0	0.0	0	0.0	0	0.0
Training	0	0.0	0	0.0		
Mission Training	38	0.0	27	0.2	11	(0.2)
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	41	0.0	30	0.2	11	(0.2)
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Licensing						
Research & Test Reactors	777	17.9	588	18.7	190	(0.8)
Oversight					0	0.0
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	1	0.1	1	0.1	0	0.0
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	10	0.0	8	0.1	2	(0.1)
Research & Test Reactor Insp.	0	4.6	0	4.7	0	(0.1)
Security	0	0.0	0	0.0	0	0.0
Training						
Mission Training	24	0.0	39	0.4	(15)	(0.4)
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	812	22.6	636	24.0	176	(1.4)
Grand Total Nuclear Reactor Safety	853	22.6	666	24.2	187	(1.6)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Licensing						
Licensing Actions	4	1.4	4	1.4	(0)	0.0
Mission IT	1	0.0	8	0.0	(7)	0.0
Security	0	0.0	0	0.0	0	0.0
Oversight						
Allegations & Investigations	0	0.4	0	0.6	0	(0.2)
Enforcement	2	0.3	2	0.2	0	0.1
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	24	0.9	9	1.0	15	(0.1)
Mission IT	6	0.0	6	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Research						
Materials Research	3	0.0	2	0.0	1	0.0
Rulemaking						
Rulemaking	1	0.0	1	0.0	(1)	0.0
Training						
Mission Training	19	0.0	16	0.0	3	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	60	3.0	48	3.2	12	(0.2)

**Mission Direct Budgeted Resources Allocated to
Nonprofit Education Exemption Fee-Relief Category**

FEE-RELIEF ALLOCATION DETERMINED BY OCFO, IN CONSULTATION WITH PROGRAM OFFICES							
	FY13		FY12		Difference		
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE	
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY							
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE							
<i>PRODUCT LINE/PRODUCTS:</i>							
Total Direct Resources	0	0.0	0	0.0	0	0.0	
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY							
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION							
<i>PRODUCT LINE/PRODUCTS:</i>							
Licensing							
Emergency Preparedness	0	0.0	0	0.0	0	0.0	
Environmental Reviews	0	0.0	0	0.0	0	0.0	
Licensing Support	0	0.0	0	0.0	0	0.0	
Mission IT	0	0.0	0	0.0	0	0.0	
Security	0	0.0	0	0.0	0	0.0	
Storage Licensing	0	0.0	1	0.0	(1)	0.0	
Transportation Certification	5	0.2	7	0.3	(2)	(0.1)	
Oversight							
Inspection	0	0.1	0	0.1	0	0.0	
Rulemaking							
Rulemaking (PL)	2	0.1	2	0.1	0	0.0	
Security	0	0.0	0	0.0	0	0.0	
Travel							
Mission Travel	0	0.0	0	0.0	0	0.0	
Training							
Mission Training	2	0.0	1	0.0	1	0.0	
Total Direct Resources	9	0.4	11	0.5	(2)	(0.1)	
Grand Total Nuclear Materials & Waste Safety	68	3.4	59	3.7	9	(0.3)	
TOTAL Nonprofit Education Exemption	921	26.0	725	27.9	196	(1.9)	
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$9,876		\$11,213		(\$1,337)		
The nonprofit educational Fee-Relief category includes resources originally allocated to the test and research reactor, materials users, and transportation fee classes, that are prorated to the Fee-Relief Activities based on the number nonprofit educational institution licensees in each fee class (approx. 86%, 4%, and 3%, respectively).							

**Mission Direct Budgeted Resources Allocated to
International Activities Fee-Relief Category**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE / PRODUCTS:						
International Activities						
Multilateral/Bilateral	0	3.0	0	3.0	0	0.0
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Construction Inspection	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Mission IT	1	0.0	1	0.0	0	0.0
Part 50	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Vendor Inspection	0	0.0	0	0.0	0	0.0
Training						
Mission Training	7	0.0	8	0.0	(1)	0.0
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	8	3.0	9	3.0	(1)	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
International Activities						
Licensing Import/Export	0	1.0	0	1.0	0	0.0
Multilateral/Bilateral	0	2.0	0	2.0	0	0.0
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	2	0.0	2	0.0	0	0.0
Research & Test Reactor Insp.	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Training						
Mission Training	4	0.0	5	0.1	(1)	(0.1)
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	6	3.0	7	3.1	(1)	(0.1)
Grand Total Nuclear Reactor Safety	14	6.0	16	6.1	(2)	(0.1)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
International Activities						
Conventions & Treaties	75	4.0	200	3.3	(125)	0.7
Licensing Import/Export	0	0.0	0	0.4	0	(0.4)
Multilateral/Bilateral	0	1.7	88	0.3	(88)	1.4
Training						
Mission Training	10	0.0	0	0.0	10	0.0
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	85	5.7	288	4.0	(203)	1.7
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	0	6.0	0	5.0	0	1.0
Licensing Import/Export	0	1.7	0	1.0	0	0.7
Training						
Mission Training	397	0.6	60	0.1	337	0.5
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	397	8.3	60	6.1	337	2.2
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	100	4.0	100	4.0	0	0.0
Mission Training						
Training	16	0.0	3	0.0	13	0.0
Total Direct Resources	116	4.0	103	4.0	13	0.0

**Mission Direct Budgeted Resources Allocated to
International Activities Fee-Relief Category**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	100	2.0	200	1.5	(100)	0.5
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Environmental Reviews	0	0.0	0	0.0	0	0.0
Licensing Support	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Storage Licensing	0	0.0	19	0.1	(19)	(0.1)
Transportation Certification	0	0.0	0	0.2	0	(0.2)
Training						
Mission Training	0	0.0	3	0.0	(3)	0.0
Total Direct Resources	100	2.0	222	1.8	(122)	0.2
Grand Total Nuclear Materials & Waste Safety	698	20.0	673	15.9	25	4.1
TOTAL INTERNATIONAL ACTIVITIES	712	26.0	689	22.0	23	4.0
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$10,588		\$8,961		\$1,627	

**Mission Direct Budgeted Resources Allocated to
Agreement State Oversight Fee-Relief Category**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	0	0.0	0	0.0
Security	134	0.7	134	0.8	0	(0.1)
State Tribal and Federal Programs						
Agreement States	205	23.9	186	22.9	19	1.0
Mission IT	0	0.0	323	0.0	(323)	0.0
Travel						
Agreement State Travel	765	0.0	1,052	0.0		
Training						
Mission Training	98	0.1	96	0.6	2	(0.5)
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	1,202	24.7	1,791	24.3	(589)	0.4
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Decommissioning Licensing Actions	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.3	0	(0.3)
Mission Training						
Training	20	0.0	4	0.0	16	0.0
Rulemaking						
Rulemaking Support	0	0.0	0	0.0		
Total Direct Resources	20	0.0	4	0.3	16	(0.3)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	1,222	24.7	1,795	24.6	(573)	0.1
TOTAL AGREEMENT STATE OVERSIGHT	1,222	24.7	1,795	24.6	(573)	0.1
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$10,604		\$11,036		(\$432)	

**Mission Direct Budgeted Resources Allocated to
Agreement State Regulatory Support Fee-Relief Category**

FEE-RELIEF ALLOCATION DETERMINED BY OCFO, IN CONSULTATION WITH PROGRAM OFFICES						
	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Event Response						
Response Operations	0	1.5	0	1.3	0	0.2
Response Programs	0	1.6	0	1.6	0	0.0
International Activities						
Multilateral/Bilateral	0	0.0	0	0.0	0	0.0
Licensing						
Licensing Actions	117	8.3	59	7.9	59	0.4
Mission IT	728	2.6	1,166	2.6	(437)	0.0
Security	0	0.0	0	0.0	0	0.0
Oversight						
Allegations & Investigations	0	0.6	0	0.0	0	0.6
Enforcement	0	0.0	0	3.5	0	(3.5)
Event Evaluation	18	3.9	0	4.4	18	(0.5)
Inspection	0	6.9	0	7.7	0	(0.8)
Mission IT	975	0.0	904	0.0	71	0.0
Security	0	0	0	0	0	0.0
Rulemaking						
Rulemaking	80	8.4	52	5.2	28	3.2
Research						
Materials Research	430	2.6	220	2.6	210	0.0
State Tribal and Federal Programs						
Agreement States	0	0.0	0	0.0	0	0.0
Liaison	20	2.4	20	1.6	0	0.8
Travel						
Agreement State Travel	0	0.0	0	0.0	0	0.0
Training						
Mission Training	148	0.2	409	0.5	(261)	(0.3)
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	2,515	39.0	2,829	38.9	(314)	0.1
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Decommissioning Licensing Actions	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.0	0	0.0
Mission Training						
Training	31	0.0	6	0.0	25	0.0
Rulemaking						
Rulemaking Support	0	0.0	0	0.0	0	0.0
Total Direct Resources	31	0.0	6	0.0	25	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	2,546	39.0	2,835	38.9	(289)	0.1

**Mission Direct Budgeted Resources Allocated to
Agreement State Regulatory Support Fee-Relief Category**

FEE-RELIEF ALLOCATION DETERMINED BY OCFO, IN CONSULTATION WITH PROGRAM OFFICES							
	FY13		FY12		Difference		
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE	
TOTAL AGREEMENT STATE REGULATORY SUPPORT	2,546	39.0	2,835	38.9	(289)	0.1	
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$17,359		\$17,447		(\$88)		
The Agreement State regulatory support Fee-Relief category includes resources originally allocated to the materials users , that are prorated to the surcharge based on the number licensees in Agreement States in each fee class (approx. 87%).							

**Mission Direct Budgeted Resources Allocated to
In-situ Leach Facilities Rulemaking, Unregistered General Licensees, MOLY 99 and Fellowships Scholarships
Fee-Relief Category**

	FY13		FY12		Difference	
	Contract (\$K)	FTE	Contract (\$K)	FTE	Contract (\$K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Training						
Mission Training	3	0.0	0	0.0	3	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	3	0.0	0	0.0	3	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Licensing						
Research & Test Reactors	1,656	7.0	1,004	6.3	652	0.7
Oversight						
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	1	0.0	0	0.0	1	0.0
Training						
Mission Training	2	0.0	0	0.0	2	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	1,659	7.0	1,004	6.3	655	0.7
Grand Total Nuclear Reactor Safety	1,662	7.0	1,004	6.3	658	0.7
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Licensing						
Licensing Actions					0	0.0
Mission IT	240	0.0	0	0.0	240	0.0
Security					0	0.0
Oversight						
Inspection	359	2.2	355	2.2	4	0.0
Mission IT	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Rulemaking						
Rulemaking	0	0.0	0	1.0	0	(1.0)
Training						
Mission Training	8	0.0	14	0.0	(6)	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	607	2.2	369	3.2	238	(1.0)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Licensing						
Decommissioning Licensing Actions	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.5	0	(0.5)
Mission Training						
Training	3	0.0	1	0.0	2	0.0
Total Direct Resources	3	0.0	1	0.5	2	(0.5)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	610	2.2	370	3.7	240	(1.5)
PROGRAM: CORPORATE SUPPORT						
Outreach						
Grants to Universities	4,700	0.0	0	0.0	4,700	0.0
Nuclear Education Grants	0	0.0	15,000	0.0	(15,000)	0.0
Outreach & Compliance Coord. Pgm.	685	6.0	680	3.0	5	3.0
Grand Total Corporate Support	5,385	6.0	15,680	3.0	(10,295)	3.0

**Mission Direct Budgeted Resources Allocated to
In-situ Leach Facilities Rulemaking, Unregistered General Licensees, MOLY 99 and Fellowships Scholarships
Fee-Relief Category**

	FY13		FY12		Difference		
	Contract (\$K)	FTE	Contract (\$K)	FTE	Contract (\$K)	FTE	
TOTAL ISL/MOLY99/GENERAL LICENSEES/FELLOWSHIPS & SCHOLARSHIPS	7,657	15.2	17,054	13.0	(9,397)	2.2	
Total value of budgeted resources for fee class (mission direct FTE x full cost of FTE + mission direct contract \$)	\$13,431		\$21,937		(\$8,506)		
In FY 2012, the Appropriations Bill includes \$15 M funding for fellowships and scholarships. It is included with this Fee-Relief category for fee calculation and comparison purposes. In addition, NRC has included in this fee relief category the production of medical isotopes (MOLY-99), which currently have no existing licensees.							

**Mission Direct Budgeted Resources Allocated to
Generic Decommissioning and Reclamation Fee-Relief Category**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE / PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Training						
Mission Training	21	0.0	0	0.0	21	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	21	0.0	0	0.0	21	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.1	0	0.1	0	0.0
Event Evaluation	30	0.8	25	0.7	5	0.1
Rulemaking						
Rulemaking	0	0.0	0	0.6	0	(0.6)
Training						
Mission Training	142	0.2	167	0.2	(25)	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	172	1.1	192	1.6	(20)	(0.5)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Licensing						
Decomm. Environmental Reviews	750	2.6	182	2.4	568	0.2
Decomm. Licensing Actions	1,188	30.7	1,358	28.2	(170)	2.5
Mission IT	219	0.0	159	0.0	60	0.0
Uranium Recovery Lic. Actions	0	3.8	0	8.5	0	
Mission Training						
Training	175	0.0	148	0.0	27	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Research						
Waste Research	0	2.0	0	3.8	0	(1.8)
Rulemaking						
Rulemaking	0	3.2	0	0.0	0	3.2
Total Direct Resources	2,332	42.3	1,847	42.9	485	(0.6)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	2,525	43.4	2,039	44.5	486	(1.1)
TOTAL GENERIC DECOMMISSIONING & RECLAMATION	2,525	43.4	2,039	44.5	486	(1.1)
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$14,685		\$14,015		\$670	

All decommissioning resources for licensees other than Part 50 power reactors and Part 72 licensees--i.e., site specific + generic resources--are allocated to the 'generic decommissioning' Fee-Relief category. OCFO then subtracts from this total the estimated Part 170 decommissioning revenue from these licensees. By definition, what's left is 'generic.'

**Mission Direct Budgeted Resources Allocated to
Generic Low Level Waste Surcharge Category**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Rulemaking						
Rulemaking	0	0.1	0	0.2	0	(0.1)
Training						
Mission Training	136	0.0	32	0.0	104	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	136	0.1	32	0.2	104	(0.1)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Uranium Recovery Licensing Actions	0	0.7	0	0.0	0	0.7
Oversight						
LLW Regulation & Oversight	111	5.5	111	4.5	0	1.0
Enforcement	0	0.0	0	0.0	0	0.0
Event Evaluation	0	0.0	0	0.0	0	0.0
Mission Training						
Training	5	0.0	1	0.0	4	0.0
NSPDP Training	0	0.0	0	0.5	0	(0.5)
Rulemaking						
Rulemaking	0	0.0	0	1.5	0	(1.5)
Rulemaking Support	428	1.7	550	1.7	(122)	0.0
Total Direct Resources	544	7.9	662	8.2	(118)	(0.3)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	680	8.0	694	8.4	(14)	(0.4)
TOTAL GENERIC LOW LEVEL WASTE	680	8.0	694	8.4	(14)	(0.4)
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$3,719		\$3,849		(\$130)	

Part 171 Annual Fees

Fuel Facilities

Section III.B.2.a

Table VI

Table VII

Table VIII

The FY 2013 budgeted cost to be recovered in the annual fees assessment to the fuel facility class of licenses [which includes licensees in fee categories 1.A.(1)(a), 1.A.(1)(b), 1.A.(2)(a), 1.A.(2)(b), 1.A.(2)(c), 1.E., and 2.A.(1), under §171.16] is approximately \$33.6 million. This value is based on the full cost of budgeted resources associated with all activities that support this fee class, which is reduced by estimated part 170 collections and adjusted for allocated generic transportation resources, and fee relief.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
			FUEL FACILITY ALLOCATIONS	
	TOTAL			
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	0.0	0.0
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	4,371.0	129.5
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	4,371.0	129.5
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				53.6
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				21.3
(3) PART 171 ALLOCATIONS (equals 1 - 2)				32.3
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				0.9
				33.2
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				54.5
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				5.84%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				0.4
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				
(10) Part 171 billing adjustments				0.0
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				33.5818
(13) Number of Licensees				different for different categories of licenses; see other worksheets
(14) Fee Per License (equals 12/13)				
unrounded annual fee amount per license, actual \$				
rounded annual fee, actual \$				
FTE RATE (average based on budget data, actual \$):		379,841		

**Mission Direct Budgeted Resources for
Fuel Facilities Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Construction Inspection	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	1	0.0	(1)	0.0
Part 50	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Vendor Inspection	0	0.0	0	0.0	0	0.0
Training						
Mission Training	0	0.0	12	0.1	(12)	(0.1)
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	0	0.0	13	0.1	(13)	(0.1)
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	3	0.0	(3)	0.0
Research & Test Reactor Insp.	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Training						
Mission Training	0	0.0	11	0.2	(11)	(0.2)
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	0	0.0	14	0.2	(14)	(0.2)
Grand Total Nuclear Reactor Safety	0	0.0	27	0.3	(27)	(0.3)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Event Response						
Response Program	0	2.5	0	2.5	0	0.0
International Activities						
Multilateral/Bilatera	65	2.6	0	0.0	65	2.6
Licensing						
Emergency Preparedness	0	0.8	0	0.8	0	0.0
Environmental Reviews	887	1.6	1,130	1.5	(243)	0.1
Fukushima NTTF	0	1.1	0	0.0	0	1.1
Licensing Actions	1,015	26.8	615	32.9	400	(6.1)
Licensing Support	0	3.9	0	2.2	0	1.7
Security	0	3.7	0	4.6	0	(0.9)
Oversight						
Allegations & Investigations	0	0.5	0	0.0	0	0.5
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	10	3.0	10	2.5	0	0.5
Inspection	690	61.2	284	56.5	406	4.7
Mission IT	0	0.0	125	0.0	(125)	0.0
Security	292	10.0	142	9.1	150	0.9
Research						
Longterm Research	50	0.2	150	0.2	(100)	0.0
Materials Research	0	0.6	87	0.8	(87)	(0.2)
Rulemaking						
Rulemaking (PL)	150	5.8	427	4.1	(277)	1.7
Rulemaking support	0	0.0	0	0.0	0	0.0
Security	182	3.1	32	2.2	150	0.9
Training						
Mission Training	417	0.2	256	0.2	161	0.0
NSDP Training	0	0.0	0	2.0	0	(2.0)
Total Direct Resources	3,758	127.6	3,258	122.1	500	5.5
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilatera	0	0.0	0	0.0	0	0.0
Oversight						
Allegations & Investigations	0	0.2	0	0.2	0	0.0
Enforcement						
Event Evaluation	0	0.5	0	0.5	0	0.0
Inspection	3	0.0	3	0.0	0	0.0

**Mission Direct Budgeted Resources for
Fuel Facilities Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
Mission IT	50	0.0	0	0.0	50	0.0
Security	0		0		0	0.0
Rulemaking						
Rulemaking	0	0.0	32	3.7	(32)	(3.7)
State Tribal and Federal Programs						
Liaison	0	0.6	0	0.6	0	0.0
Training						
Mission Training	452	0.6	498	0.6	(46)	0.0
Total Direct Resources	505	1.9	533	5.6	(28)	(3.7)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Licensing						
Uranium Recovery Env. Reviews	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.0	0	0.0
Mission Training						
Training	108	0.0	21	0.0	87	0.0
Total Direct Resources	108	0.0	21	0.0	87	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Environmental Reviews	0	0.0	0	0.0	0	0.0
Licensing Support	0	0.0	0	0.0	0	0.0
Rulemaking	0	0.0	750	0.5	(750)	(0.5)
Security	0	0.0	83	3.1	(83)	(3.1)
Storage Licensing	0	0.0	0	0.4	0	(0.4)
Transportation Certification	0	0.0	0	0.4	0	(0.4)
Total Direct Resources	0	0.0	833	4.4	(833)	(4.4)
Grand Total Nuclear Materials & Waste Safety	4,371	129.5	4,645	132.1	(274)	(2.6)
TOTAL FUEL FACILITY	4,371	129.5	4,672	132.4	(301)	(2.9)
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	53,560		54,415		(\$855)	

FUEL FACILITY ANNUAL FEES
FY 2013

Part 171 Amount	\$33,194,905
Less Billing Adjustment	11,674
Less Recission Adjustment	0
TOTAL	\$33,206,579

	<u>SAFETY</u>	<u>SAFEGUARDS</u>	<u>TOTAL</u>	<u>FEE-RELIEF</u>	<u>TOTAL ANNUAL FEE</u>
Allocation of Part 171 Amount to Safety/Safeguards	\$17,553,135	\$15,653,445	\$33,206,579	\$375,198	\$33,581,777

		<u>EFFORT FACTORS</u>					
		<u>NUMBER OF LICENSES</u>		<u>Safety</u>		<u>Safeguards</u>	
<u>FEE CATEGORY</u>							
1A(1)(a) SSNM (HEU)	2		89	38.5%	97	47.1%	186
1A(1)(b) SNM (LEU)	3		70	30.3%	35	17.0%	105
1A(2)(a) LIMITED OPS	0		0	0.0%	0	0.0%	0
(Areva)							
1A(2)(b) OTHERS (Gas centrifuge enrichment demonstration)	1		3	1.3%	15	7.3%	18
1A(2)(c) OTHERS (hot cell facility)	1		6	2.6%	3	1.5%	9
1E ENRICHMENT	2		51	22.1%	49	23.8%	100
2A(1) UF6 (Honeywell)	1		12	5.2%	7	3.4%	19
TOTAL	10		231	52.9%	206	47.1%	437
		% of total					

						(5)	
<u>ALLOCATION to CATEGORY</u>		(1)	(2)	(3)	(4)	TOTAL ANNUAL FEE PER LICENSE	FY 2013 Annual Fee Rounded
<u>Fee Category</u>							
1A(1)(a) SSNM (HEU)	2	\$6,762,896	\$7,370,797	\$14,133,693	\$159,695	\$7,146,694	\$7,147,000
1A(1)(b) SNM (LEU)	3	5,319,132	2,659,566	7,978,698	\$90,150	\$2,689,616	\$2,690,000
1A(2)(a) LIMITED OPS	0	0	0	0	\$0	\$0	\$0
(Framatome)							
1A(2)(b) OTHERS (Gas centrifuge enrichment demonstration)	1	227,963	1,139,814	1,367,777	\$15,454	\$1,383,231	\$1,383,000
1A(2)(c) OTHERS (hot cell facility)	1	455,926	227,963	683,888	\$7,727	\$691,616	\$692,000
1E ENRICHMENT	2	3,875,367	3,723,392	7,598,760	\$85,858	\$3,842,309	\$3,842,000
2A(1) UF6 (Honeywell)	1	911,851	531,913	1,443,764	\$16,313	\$1,460,077	\$1,460,000
TOTAL	10	\$17,553,135	\$15,653,445	\$33,206,579	\$375,198		

Cols 1 and 2=budgeted amounts x percent of total effort factor

Col 3 = Col 1 + Col 2

Col 4 = Total fee-relief x percent of total effort factor

Col 5 = Col 3 + Col 4 / number of licensees

**NRC FUEL CYCLE FACILITIES
FY 2013 ANNUAL FEES - EFFORT FACTOR MATRIX
October 2012**

CATEGORY	LICENSEE	FEE CATEGORY	PROCESSES														SUBTOTALS		TOTAL						
			SOLID UF6/METAL		ENRICHMENT		LIQUID UF6		HEU DOWN BLEND		CONVERSION POWDER		PELLET		ROD/ BUNDLE					SCRAP/ WASTE		HOT CELL		SENSITIVE INFORMATION	
			S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG		S	SG	S	SG	S	SG
SNM (HEU)	B&W NOG (SNM-42)	1A(1)(a)	10	10	0	0	0	0	5	5	5	5	10	5	5	5	10	5	1	1	1	10	47	46	93
	NFS (SNM-124)	1A(1)(a)	10	10	0	0	1	1	10	10	10	10	0	0	0	0	10	10	0	0	1	10	42	51	93
Uranium Enrichment	USEC Paducah (GDP-1)	1E	10	1	10	10	5	5	0	0	0	0	0	0	0	0	5	5	0	0	0	5	30	26	56
	LES (SNM-2010)	1E	10	1	5	10	1	1	0	0	0	0	0	0	0	0	5	1	0	0	0	10	21	23	44
	USEC ACP (SNM-2011)*	1E	10	1	5	10	1	1	0	0	0	0	0	0	0	0	5	1	0	0	0	10	-	-	-
	AREVA Eagle Rock	1E	10	1	5	10	1	1	0	0	0	0	0	0	0	0	5	1	0	0	0	10	-	-	-
	Global Laser Enrichment	1E	10	1	5	10	1	1	0	0	0	0	0	0	0	0	5	1	0	0	0	10	-	-	-
SNM (LEU)	Global Nuclear (SNM-1097)	1A(1)(b)	5	1	1	5	1	1	0	0	5	1	5	1	1	1	5	1	0	0	1	10	24	21	45
	AREVA NP Richland (SNM-1227)	1A(1)(b)	5	1	0	0	1	1	0	0	5	1	5	1	1	1	5	1	0	0	1	1	23	7	30
	Westinghouse (SNM-1107)	1A(1)(b)	5	1	0	0	1	1	0	0	5	1	5	1	1	1	5	1	0	0	1	1	23	7	30
UF6 Conversion	Honeywell (SUB-526)	2A(1)	5	1	0	0	5	5	0	0	1	0	0	0	0	0	1	0	0	0	0	1	12	7	19
	International Isotopes (SUB-1587)	2A(1)	5	1	0	0	5	5	0	0	1	0	0	0	0	0	1	0	0	0	0	1	-	-	-
Gas Cent. Enrichment	USEC Lead Cascade (SNM-7003)	1A(2)(b)	1	0	1	5	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	10	3	15	18
Hot Cell	GE Vallecitos (SNM-960)	1A(2)(c)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	1	1	1	0	1	6	3	9

S = Safety HIGH = 10
SG = Safeguards MODERATE = 5
LOW = 1
NONE = 0

TOTALS 231 206 437

Changes from Prior Year:

No Changes 14
New Addition 1
Changed none

FY13 Notes:

- 1 USEC ACP licensed but not operating due to license conditions
- 2 AREVA Eagle Rock not operating
- 3 Global Nuclear has license responsibility for the GLE enrichment test loop and any event consequences therefrom. This is the basis for the "10" on SG-Sensitive Information.
- 4 Global Laser Enrichment not licensed or operating
- 5 AREVA Lynchburg removed because license was terminated.
- 6 International Isotopes was added as a place holder until licensed to operate

Part 171 Annual Fees

Uranium Recovery Facilities

Section III.B.2.b

Table IX

Table X

Table XI

Table XII

The total FY 2013 budgeted cost to be recovered through annual fees assessed to the uranium recovery class [which includes licensees in fee categories 2.A.(2)(a), 2.A.(2)(b), 2.A.(2)(c), 2.A.(2)(d), 2.A.(2)(e), 2.A.(3), 2.A.(4), 2.A.(5) and 18.B., under § 171.16], is approximately \$1 million.

Of the required annual fee collections, \$727,000 is assessed to DOE's Uranium Mill Tailings Radiation Control Act (UMTRCA) under fee category 18.B. The remaining \$308,000 (rounded) would be recovered through annual fees assessed to the other licensees in this fee class (i.e., conventional mills, in-situ recovery facilities, 11e.(2) mill tailings disposal facilities (incidental to existing tailings sites), and a uranium water treatment facility.)

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
			URANIUM RECOVERY	
		TOTAL	ALLOCATIONS	
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	0.0	0.0
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	3,480.0	21.5
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	3,480.0	21.5
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				11.647
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				10.400
(3) PART 171 ALLOCATIONS (equals 1 - 2)				1.247
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				
				1.25
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				11.6
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				1.25%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-0.214
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				
(10) Part 171 billing adjustments				0.002
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				1.0350
(13) Number of Licensees				different for different categories of licenses; see other worksheets
(14) Fee Per License (equals 12/13)				
unrounded annual fee amount per license, actual \$				
rounded annual fee, actual \$				

**Mission Direct Budgeted Resources for
Uranium Recovery Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Rulemaking						
Rulemaking	0	0.0	0	1.0	0	(1.0)
State Tribal and Federal Programs						
Agreement States	0	0.0	0	0.0	0	0.0
Liaison	0	0.2	0	0.2	0	0.0
Training						
Mission Training	61	0.1	69	0.1	(8)	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	61	0.3	69	1.3	(8)	(1.0)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Decommissioning Licensing Actions	0	0.0	0	0.0	0	0.0
Uranium Recovery Envir. Reviews	2,554	4.4	1,851	4.3	703	0.1
Uranium Recovery Lic. Actions	853	16.8	690	12.8	163	4.0
Mission Training						
Training	12	0.0	3	0.0	9	0.0
Total Direct Resources	3,419	21.2	2,544	17.1	875	4.1
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	3,480	21.5	2,613	18.4	867	3.1
TOTAL URANIUM RECOVERY	3,480	21.5	2,613	18.4	867	3.1
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$11,647		\$9,525		\$2,122	

**URANIUM RECOVERY ANNUAL FEES
FY 2013**

TOTAL ANNUAL FEE AMOUNT (excl. fee-relief adjustment):	TOTAL \$1,249,072
TOTAL FEE-RELIEF ADJUSTMENT:	-214,032
TOTAL:	\$1,035,040

**GROUP 1
Calculation of DOE Annual Fee**

Fee Category	contract \$	FTE	FTE Rate	Less: Part 170 Receipts	Total Fee
18.B. DOE UMRCA Budgeted Costs:	0	2.00	\$379,841	-\$67,150	\$692,531
10% x (Total Annual Fee Amount (excl. Fee-Relief) less UMRCA)					\$55,654
10% of Fee-Relief Activities					-\$21,403
				Total:	\$726,782
				DOE's Annual Fee Rounded:	\$727,000

**GROUP 2
Calculation of Annual Fee Amount for Remaining UR Licensees**

	FY 2013 Total Fee
Remaining Annual Fee Amount (excl. Fee-Relief Adjustment):	\$500,887
Remaining Fee Relief Adjustment (90%):	-\$192,629
Total:	\$308,258

CALCULATION OF ANNUAL FEE AMOUNTS BY CATEGORY:

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
Type of Site	Fee Category	Number of Licenses	Category Benefit	Total Benefit Value	Percent	Total base annual fee	Annual Fee Per License		
							Base	Fee Relief	Total
Conventional & Heap Leach Mills	2.A.(2)(a)	1	150	150	9%	\$46,522	\$46,522	-\$17,891	\$28,631
Basic In-situ Recovery Facilities	2.A.(2)(b)	6	190	1,140	71%	\$353,567	\$58,928	-\$22,662	\$36,266
Expanded In-situ Recovery Facilities	2.A.(2)(c)	1	215	215	13%	\$66,682	\$66,682	-\$25,644	\$41,037
In-situ Recovery Resin Facilities	2.A.(2)(d)	0	-	-	0%	\$0	N/A	N/A	N/A
Resin Toll Milling Facilities	2.A.(2)(e)	0	-	-	0%	\$0	N/A	N/A	N/A
Facilities for Disposal of 11e(2) Materials	2.A.(3)	0	-	-	0%	\$0	N/A	N/A	N/A
Disposal Incident to Operation at Licensed Facilities	2.A.(4)	1	85	85	5%	\$26,362	\$26,362	-\$10,138	\$16,224
Uranium Water Treatment Facility	2.A.(5)	1	25	25	2%	\$7,754	\$7,754	-\$2,982	\$4,772
TOTAL		10	665	1,615	100%	\$500,887			

Col. 3= Col. 1 x Col. 2
Col. 5= Col. 4 x Group 2 Total Base Fee
Col. 6= Col. 5 / Col. 1
Col. 7= Col. 4 x Group 2 Fee-Relief Adjustment Amount/Col. 1
Col. 8= Col. 6 + Col. 7

Part 171 Annual Fees

Operating Power Reactors

Section III.B.2.c

Table XIII

The budgeted costs to be recovered through annual fees to power reactors are divided equally among the 104 power reactors licensed to operate. This results in a FY 2013 annual fee of \$4,530,000 per reactor. Additionally, each power reactor licensed to operate would be assessed the FY 2013 spent fuel storage/reactor decommissioning annual fee of \$250,000. This results in a total FY 2013 annual fee of \$4,780,000 for each power reactor licensed to operate.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
	TOTAL		POWER REACTORS ALLOCATIONS	
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	125,162.6	1,754.6
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	2,918.0	9.8
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	128,080.6	1,764.4
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				798.3
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				315.9
(3) PART 171 ALLOCATIONS (equals 1 - 2)				482.3
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				1.4
				483.7
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				799.6
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				85.7132%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-12.7
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				-0.12235
(10) Part 171 billing adjustments				0.2
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				471.1498
(13) Number of Licensees				104
(14) Fee Per License (equals 12/13)				4.530287
unrounded annual fee amount per license, actual \$				4,530,287
rounded annual fee, actual \$				4,530,000
FTE RATE (average based on budget data, actual \$):	379,841			

**Mission Direct Budgeted Resources Allocated to
Power Reactors Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	60	2.0	0	4.0	60	(2.0)
Licensing						
Advanced Reactors	0	0.0	0	0.0	0	0.0
Combined Licenses	7,356	115.6	4,815	105.6	2,541	10.0
Design Certification	3,589	59.8	3,740	48.4	(151)	11.4
Early Site Permit	3,639	15.8	680	16.7	2,959	(0.9)
Emergency Preparedness	575	8.4	0	7.7	575	0.7
Fukushima NTTF	151	7.5	0	0.0	151	7.5
Licensing Actions	79	34.3	79	25.0	0	9.3
Licensing Support	8,900	54.8	5,002	66.0	3,898	(11.2)
Mission IT	6,159	10.7	4,308	15.0	1,851	(4.3)
New Reactor Facilities	2,450	10.0	30,804	1.0	(28,354)	9.0
Operator Licensing	0	15.0	142	15.0	(142)	0.0
Pre-Application Reviews	2,100	10.6	350	34.7	1,750	(24.1)
Part 50	500	17.0	1,550	28.5	(1,050)	(11.5)
Security	975	7.0	1,300	8.2	(325)	(1.2)
Oversight						
Allegations & Investigations	0	1.0	0	1.0	0	0.0
Construction Inspection	1,251	85.4	619	78.5	632	6.9
Emergency Preparedness	0	0.7	0	0.4	0	0.3
Enforcement	6	1.5	6	1.5	(0)	0.0
Mission IT	317	2.1	266	2.0	51	0.1
Part 50	209	10.8	150	13.8	59	(3.0)
Security	550	2.4	450	2.4	100	0.0
Vendor Inspection	250	32.6	238	28.0	12	4.6
Research						
Adv. Reactors Research	1,607	9.5	833	11.0	774	(1.5)
Long term Research	60	0.5	250	1.0	(190)	(0.5)
New Reactors Research	3,496	11.5	2,602	15.0	894	(3.5)
Rulemaking						
Rulemaking (PL)	220	7.9	220	6.6	0	1.3
Security	0	0.0	150	0.3	(150)	(0.3)
Rulemaking Support	0	0.0	0	0.0	0	0.0
Training						
Mission Training	2,411	11.0	1,680	10.7	731	0.3
NSPDP Training	0	3.0	0	10.0	0	(7.0)
Total Direct Resources	46,910	548.4	60,234	557.9	(13,324)	(9.6)
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Event Response						
Mission IT	4,817	3.5	4,216	3.5	601	0.0
Other Response Activities	34	0.0	425	0.0	(391)	0.0
Response Operations	100	14.5	100	12.9	0	1.6
Response Program	400	23.4	193	22.0	207	1.4
International Activities						
Multilateral/Bilateral	155	8.2	0	8.0	155	0.2
Licensing						
Emergency Preparedness	430	6.4	305	6.4	125	0.0
Generic Issues Program	0	6.0	0	0.8	0	5.2
Fukushima NTTF/Japan Lessons Learned	5,500	56.3	2,000	29.3	3,500	27.0
License Renewal	2,587	64.3	1,975	72.3	612	(8.0)
Licensing Actions	4,028	142.6	1,656	139.9	2,372	2.7
Licensing Support	867	59.8	583	66.0	284	(6.2)
Mission IT	286	1.5	233	1.5	53	0.0
Operator Licensing	455	40.9	350	40.9	105	0.0
Research & Test Reactors	0	0	0	0	0	0.0
Security	650	6.3	543	6.8	107	(0.5)
Oversight						
Allegations & Investigations	25	52.2	25	52.1	0	0.1
Emergency Preparedness	0	20.0	0	20.0	0	0.0
Enforcement	116	16.5	102	17.5	15	(1.0)
Event Evaluation	55	23.4	41	23.4	14	0.0
Fukushima NTTF	0	5.0	0	0.0	0	5.0
Inspection	3,711	377.3	3,187	381.0	524	(3.7)
Mission IT	2,331	10.8	1,989	10.9	342	(0.1)
Research & Test Reactor Insp.	0	0.0	0	0.0	0	0.0
Security	3,238	60.0	2,783	55.8	455	4.2
Research						
Consequence Analysis & Hlth Effects	3,045	10.5	1,732	8.7	1,313	1.8
Digital I&C & Electrical Res.	3,974	12.3	3,352	12.8	622	(0.5)
Fire Safety Research	3,396	7.0	3,354	8.3	42	(1.3)
Fukushima NTTF	2,190	3.3	0	0.0	2,190	3.3
Generic Issues & Oper. Exp.	25	6.7	0	5.7	25	1.0

**Mission Direct Budgeted Resources Allocated to
Power Reactors Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
International Research	2,220	5.7	2,523	9.6	(303)	(3.9)
Longterm Research	525	1.1	125	1.5	400	(0.4)
Materials Performance Research	8,429	18.9	8,120	15.4	309	3.5
Mission IT	726	1.0	678	1.0	48	0.0
Operational Events Analysis	3,200	15.3	2,905	17.8	295	(2.5)
Reactor Safety Codes & Analysis	5,197	24.5	5,224	21.6	(27)	2.9
Risk Analysis	7,310	17.9	6,630	14.9	680	3.0
Seismic & Structural Research	1,271	3.4	2,072	3.6	(801)	(0.2)
Rulemaking						
Fukushima NTF/Japan Lessons Learned	450	9.7	0	6.0	450	3.7
Rulemaking (PL)	175	14.0	0	12.5	175	1.5
Emergency Preparedness	371	4.4	450	2.5	(79)	1.9
Rulemaking Support	3,968	22.6	2,619	27.9	1,349	(5.3)
Security	0	1.0	0	0.0	0	1.0
Training						
Mission Training	1,995	22.0	2,097	21.7	(102)	0.3
NSPDP Training	0	6.0	0	18.5	0	(12.5)
Total Direct Resources	78,253	1206.2	62,587	1,181.1	15,666	25.2
Grand Total Nuclear Reactor Safety	125,163	1754.6	122,821	1,739.0	2,342	15.6
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Training						
Mission Training	11	0.0	0	0.0	11	0.0
Total Direct Resources	11	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	0	0.0	0	0.0	0	0.0
Oversight						
Inspection	6	0.0	6	0.0	0	0.0
Rulemaking						
Rulemaking	0	0.0	0	0.0	0	0.0
Training						
Mission Training	216	0.3	48	0.0	168	0.3
Total Direct Resources	222	0.3	54	0	168	0.3
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Licensing						
Uranium Recovery Env. Reviews	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.0	0	0.0
Mission Training						
Training	52	0.0	3	0.0	49	0.0
Total Direct Resources	52	0.0	3	0.0	49	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
International Activities						
Multilateral/Bilateral	75	1.0	75	1.5	0	(0.5)
Licensing						
Emergency Preparedness	0	0	0	0	0	0.0
Environmental Reviews	0	0	0	0	0	0.0
Licensing Support	24	1	500	1	(476)	0.0
Mission IT	380	0	0	0	380	0.0
Security	0	0	0	0	0	0.0
Storage Licensing	0	0	0	0	0	0.0
Transportation Certification	0	0	0	0	0	0.0
Research						
Waste Research	1,510	7.0	412	7.0	1,098	0.0
Rulemaking						
Rulemaking (PL)	631	0.5	525	0.5	106	0.0
Travel						
Mission Travel	0	0.0	0	0.0	0	0.0
Training						
Mission Training	13	0	26	0	(13)	0.0
Total Direct Resources	2,633	9.5	1,538	10.0	1,095	(0.5)
Grand Total Nuclear Materials & Waste Safety	2,918	9.8	1,595	10.0	1,323	(0.2)
TOTAL POWER REACTORS	128,081	1,764.4	124,416	1,749.0	3,665	15.4
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	798,267		781,426		\$16,841	

OPERATING POWER REACTOR ANNUAL FEE
FY 2013

NUMBER OF POWER REACTORS LICENSED TO OPERATE:
(by Nuclear Steam System Supplier & Design Type)

Westinghouse	48
General Electric	35
Combustion Engineering	14
Babcock & Wilcox	<u>7</u>
TOTAL REACTORS	104

DETERMINATION OF ANNUAL FEE:

TOTAL BUDGETED COSTS FOR OPERATING POWER REACTORS (INCLUDES NON-FEE ACTIVITIES)	\$798,271,581
ANNUAL FEE PER REACTOR (rounded) (BUDGETED COSTS DIVIDED BY 104 OPERATING POWER REACTORS)	\$4,530,000
PLUS SPENT FUEL STORAGE/ REACTOR DECOMMISSIONING ANNUAL FEE	\$250,000
TOTAL ANNUAL FEE PER LICENSE	\$4,780,000

Part 171 Annual Fees

Spent Fuel Storage/Reactor Decommissioning

Section III.B.2.d

Table XIV

For FY 2013, budgeted costs of approximately \$30.5 million for spent fuel storage/reactor decommissioning are to be recovered through annual fees assessed to part 50 power reactors, and to part 72 licensees who do not hold a part 50 license. Those reactor licensees that have ceased operations and have no fuel onsite are not subject to these annual fees. The required annual fee recovery amount is divided equally among 122 licensees, resulting in a FY 2013 annual fee of \$250,000 per licensee.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
			SPENT FUEL STORAGE/ REACTOR DECOMM. ALLOCATIONS	
	TOTAL			
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	2.2	0.1
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	5,821.4	78.4
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	5,823.6	78.5
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				35.6
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				5.1
(3) PART 171 ALLOCATIONS (equals 1 - 2)				30.5
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				0.7
				31.2
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				36.3
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				3.89%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-0.668
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				-0.005472
(10) Part 171 billing adjustments				0.01
(11) Adjustment for SFS credit of poration of 123 licensee				-0.0528
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				30.4846
(13) Number of Licensees				122
(14) Fee Per License (equals 12/13)				0.249873
unrounded annual fee amount per license, actual \$				249,873
rounded annual fee, actual \$				250,000
FTE RATE (average based on budget data, actual \$):				
	379,841			

**Mission Direct Budgeted Resources Allocated to
Spent Fuel Storage/Reactor Decommissioning Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Enforcement	0	0.0	0	0.0	0	0.0
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	1	0.1	1	0.2	0	(0.1)
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	1	0.0	1	0.0	(0)	0.0
Research & Test Reactor Insp.	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Total Direct Resources	2	0.1	2	0.2	0	(0.1)
Grand Total Nuclear Reactor Safety	2	0.1	2	0.2	0	(0.1)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Oversight						0.0
Allegations & Investigations	0	0.1	0	0.2	0	(0.1)
Enforcement	2	0.6	3	0.4		
Inspection	3	0.0	3	0.0		
Rulemaking						0.0
Rulemaking	0	0.0	0	1.2	0	(1.2)
Training						0.0
Mission Training	310	0.4	259	0.3	51	0.1
Total Direct Resources	315	1.1	265	2.1	50	(1.0)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Licensing						
Uranium Recovery Env. Reviews	0	0.0	0	0.0	0	0.0
Uranium Recovery Lic. Actions	0	0.0	0	0.0	0	0.0
Oversight						
Inspection	0	9.6	0	9.7	0	(0.1)
Mission Training						
Training	64	0.0	11	0.0	53	0.0
Total Direct Resources	64	9.6	11	9.7	53	(0.1)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Licensing						
Emergency Preparedness	0	0.1	0	0.1	0	0.0
Environmental Reviews	200	1.6	200	1.6	0	0.0
Licensing Support	57	7.5	0	0	57	7.5
Mission IT	380	0	0	0	380	0.0
Security	83	2.8	0	0	83	2.8
Storage Licensing	791	17.8	998	19.4	(207)	(1.6)
Transportation Certification	505	3.5	679	6.3	(174)	(2.8)
Oversight						
Security	0	1.8	0	11.4	0	(9.6)
Inspection	0	9.1	0	1.8	0	7.3
Research						
Waste Research	1,995	10.0	753	9.0	1,242	1.0
Rulemaking						
Rulemaking (PL)	449	11.5	475	6.3	(26)	5.2
Rulemaking Support	0	0.5	0	0.5	0	0.0
Security	900	1.0	0	0.0	900	1.0
Training						
Mission Training	82	0.0	101	0.0	(19)	0.0
NSPDP Training	0	0.5	0	0.8	0	(0.3)
Travel						
Mission Travel	0	0	0	0.0	0	0.0
Total Direct Resources	5,442	67.7	3,206	57.2	2,236	10.5
Grand Total Nuclear Materials & Waste Safety	5,821	78.4	3,482	69.0	2,339	9.4

**Mission Direct Budgeted Resources Allocated to
Spent Fuel Storage/Reactor Decommissioning Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
TOTAL SPENT FUEL STORAGE & REACTOR DECOMM.	5,824	78.5	3,484	69.2	2,340	9.3
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$35,641		\$29,462		\$6,179	

SPENT FUEL STORAGE/REACTOR DECOMMISSIONING
ANNUAL FEE
FY 2013

LICENSES SUBJECT TO THE ANNUAL FEE:

Operating Power Reactor Licensees: 104

Power Reactors in Decommissioning or Possession Only
Status with Fuel Onsite

Reactor	Docket No.
Big Rock Point	50-155
Indian Point, Unit 1	50-003
Dresden, Unit 1	50-010
Haddam Neck	50-213
Humboldt	50-133
La Crosse	50-409
Maine Yankee	50-309
Millstone 1	50-245
Rancho Seco	50-312
San Onofre, Unit 1	50-206
Yankee Rowe	50-029
Zion 1	50-295
Zion 2	50-304

Total No. of Reactors in decommissioning or possession only
status with fuel onsite: 13

Part 72 Licensees without a Part 50 License

Ft. St. Vrain	72-009
GE Morris	72-001
Department of Energy, Idaho Ops. Office	72-020
Foster Wheeler Environmental Corp.	72-025
Trojan	72-017

Total Part 72 licenses: 5

The annual fee is determined by dividing the total budgeted costs of approximately \$30.4 million (including the fee-relief activities) by the total number of licensees (122). This results in an annual fee (rounded) of \$250,000 per license.

Private Fuel Storage, LLC expected to terminate their license early 2013.

Part 171 Annual Fees

Research and Test Reactors

Section III.B.2.e

Table XV

Approximately \$340,000 in budgeted costs is to be recovered through annual fees assessed to the research and test reactor class of licenses for FY 2013. This required annual fee recovery amount is divided equally among the four research and test reactors subject to annual fees, and results in a FY 2013 annual fee of \$84,500 for each licensee.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
			TEST AND RESEARCH	
			REACTORS	
		TOTAL	ALLOCATIONS	
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	119.3	3.7
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	0.0	0.0
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	119.3	3.7
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				1.52
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				1.19
(3) PART 171 ALLOCATIONS (equals 1 - 2)				0.33
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				0.04
				0.37
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				1.56
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				0.167239%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-0.02867264
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				-0.0072
(10) Part 171 billing adjustments				0.00
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				0.3379
(13) Number of Licensees				4
(14) Fee Per License (equals 12/13)				0.084472
unrounded annual fee amount per license, actual \$				84,472
rounded annual fee, actual \$				84,500
FTE RATE (average based on budget data, actual \$):				
	379,841			

**Mission Direct Budgeted Resources for
Test and Research Reactors Fee Class**

	FY13		FY12		Difference	
	Contract (\$K)	FTE	Contract (\$K)	FTE	Contract (\$K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Construction Inspector	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	0	0.0	0	0.0
Mission IT	1	0.0	1	0.0	0	0.0
Part 50	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Vendor Inspection	0	0.0	0	0.0	0	0.0
Training						
Mission Training	6	0.0	6	0.0	0	0.0
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	7	0.0	7	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Generic Issues Program	0	0.0	0	0.0	0	0.0
Japan Lessons Learned	0	0.0	0	0.0	0	0.0
License Renewal	0	0.0	0	0.0	0	0.0
Licensing Actions	0	0.0	0	0.0	0	0.0
Licensing Support	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	0	0.0	0	0.0
Operator Licensing	0	0.0	0	0.0	0	0.0
Research & Test Reactors	110	2.9	87	2.8	23	0.1
Security	0	0	0	0.0	0	0.0
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	0	0.0	1	0.1	(1)	(0.1)
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	1	0.0	(1)	0.0
Research & Test Reactor Insp.	0	0.8	0	0.7	0	0.1
Security	0	0.0	0	0.0	0	0.0
Training						
Mission Training	2	0.0	5	0.1	(3)	(0.1)
NSDP Training	0	0.0	0	0.5	0	(0.5)
Total Direct Resources	112	3.7	94	4.2	18	(0.5)
Grand Total Nuclear Reactor Safety	119	3.7	101	4.2	18	(0.5)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Materials & Waste Safety	0	0.0	0	0.0	0	0.0
TOTAL TEST & RESEARCH REACTORS	119	3.7	101	4.2	18	(0.5)
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$1,532		\$1,679		(\$147)	

TEST AND RESEARCH REACTOR ANNUAL FEE

FY 2013 FEE RULE

DETERMINATION OF THE FY 2013 ANNUAL FEE:

TEST AND RESEARCH REACTORS SUBJECT TO ANNUAL FEES (See note)

	License No.	Docket No.
1. Dow Chemical - TRIGA MARK I	R-108	50-264
2. AEROTEST	R-98	50-228
3. GE, NTR	R-33	50-73
4. NIST	TR-5	50-184

DETERMINATION OF ANNUAL FEE

BUDGETED COSTS	\$337,887
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ANNUAL FEE PER LICENSE (rounded) (Budgeted costs divided by number of test and research reactor licensees subject to annual fee)	\$84,500
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NOTE: Does not include License R-38 (TRIGA MARK I), Docket No. 50-89, issued to General Atomics. License R-38 was amended in 1997 to authorize possession only.

Part 171 Annual Fees

Rare Earth Facilities

Section III.B.2.f

The agency does not anticipate receiving an application for a rare earth facility this fiscal year, so no budget resources are allocated to this fee class and no annual fee will be published in FY 2013. NRC revised the fee category for this fee class from 2.A.(2)(c) to 2.A.(2)(f) in FY 2009.

Part 171 Annual Fees

Materials Users

Section III.B.2.g

Table XVI

The following fee categories under §171.16 are included in this fee class: 1.C., 1.D., 1.F., 2.B., 2.C., 3.A. through 3.S., 4.A. through 4.C., 5.A., 5.B., 6.A., 7.A. through 7.C., 8.A., 9.A. through 9.D., 16, and 17. The annual fee for these categories of materials users licenses is developed as follows:

Annual fee = Constant x [Application Fee + (Average Inspection Cost divided by Inspection Priority)] + Inspection Multiplier x (Average Inspection Cost divided by Inspection Priority) + Unique Category Costs.

To equitably and fairly allocate the \$31.8 million in FY 2013 budgeted costs to be recovered in annual fees assessed to the approximately 3,000 diverse materials users licensees, the NRC will continue to base the annual fees for each fee category within this class on the part 170 application fees and estimated inspection costs for each fee category. Because the application fees and inspection costs are indicative of the complexity of the license, this approach continues to provide a proxy for allocating the generic and other regulatory costs to the diverse categories of licenses based on NRC's cost to regulate each category. This fee calculation also continues to consider the inspection frequency (priority), which is indicative of the safety risk and resulting regulatory costs associated with the categories of licenses.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
	TOTAL		MATERIALS ALLOCATIONS	
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	0.0	0.0
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	806.6	81.7
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	806.6	81.7
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				31.8
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				1.6
(3) PART 171 ALLOCATIONS (equals 1 - 2)				30.3
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				1.7
				31.9
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				33.5
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				2.74%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-0.1
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				
(10) Part 171 billing adjustments				0.01
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				31.8179
(13) Number of Licensees				different for different categories of licenses; see other worksheets
(14) Fee Per License (equals 12/13)				
unrounded annual fee amount per license, actual \$				
rounded annual fee, actual \$				

**Mission Direct Budgeted Resources for
Materials Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Total Direct Resources	0	0.0	0	0.0	0	0.0
Grand Total Nuclear Reactor Safety	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Environmental Reviews	0	0.0	0	0.0	0	0.0
Licensing Actions	0	0.0	0	1.0	0	(1.0)
Licensing Support	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Total Direct Resources	0	0.0	0	1.0	0	(1.0)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
<i>PRODUCT LINE/PRODUCTS:</i>						
Event Response						
Response Operations	0	0.2	0	0.2	0	0.0
Response Programs	0	0.4	0	0.4	0	0.0
International Activities					0	0.0
Multilateral/Bilateral	0	0.3	0	0.0	0	0.3
Licensing						
Licensing Actions	94	31.2	85	31.9	9	(0.7)
Mission IT	120	0.4	162	0.4	(42)	0.0
Security	0	0.9	0	0.1	0	0.8
Oversight						
Allegations & Investigations	0	9.4	0	10.6	0	(1.2)
Enforcement	42	11.5	42	8.3	0	3.2
Event Evaluation	2	1.7	25	0.8	(23)	0.9
Inspection	166	22.0	185	20.8	(19)	1.2
Mission IT	135	0.0	125	0.0	9	0.0
Security	0	0.3	0	0.4	0	(0.1)
Research						
Materials Research	59	0.4	31	0.4	29	0.0
Rulemaking						
Rulemaking	11	1.6	7	1.2	4	0.4
State Tribal and Federal Programs						
Agreement States	14	0.0	21	1.0	(7)	(1.0)
Liaison	3	0.3	3	0.2	0	0.1
Training						
Mission Training	126	0.7	142	0.5	(16)	0.2
NSDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	773	81.3	827	77.2	(55)	4.1
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Decommissioning Licensing Actions	0	0.4	0	0.2	0	0.2
Uranium Recovery Lic. Actions	0	0.0	0	0.0	0	0.0
Mission Training						
Training	34	0.0	13	0.0	21	0.0
Total Direct Resources	34	0.4	13	0.2	21	0.2
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
<i>PRODUCT LINE/PRODUCTS:</i>						
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Environmental Reviews	0	0.0	0	0.8	0	(0.8)
Licensing Support	0	0.0	0	0.0	0	0.0
Mission IT	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Storage Licensing	0	0.0	0	0.0	0	0.0
Transportation Certification	0	0.0	0	0.0	0	0.0
Total Direct Resources	0	0.0	0	0.8	0	(0.8)

**Mission Direct Budgeted Resources for
Materials Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
Grand Total Nuclear Materials & Waste Safety	807	81.7	840	79.2	(34)	2.5
TOTAL MATERIAL USERS	807	81.7	840	79.2	(34)	2.5
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$31,839		\$30,603		\$1,236	

REBASELINE										FY 2013 Materials Users Annual Fees									
Calculation of UNIQUE (generic activities related to specific fee categories):										UNIQUE ACTIVITIES IDENTIFIED FOR FY 2013									
Total budgeted resources (FY 2013 unique activities+Part 35 Implementation)										3.3 FTE \$0.00 (CONTRACT COSTS)									
Total cost (FTE*FTE rate + any contract costs)										\$1,253,474									
Percent of NRC materials licenses to the total materials licenses										13%									
Amount allocated to NRC materials licenses (% * total cost)										\$158,461									
No. of affected NRC licenses (for FY 2013, Csts. 7A, 7B, & 7C, + those medical under Master Mats Licenses)										1095.0									
Unique per license:										\$145									
Total Part 171 (annual fee) amount, excluding fee-relief costs:										\$31,916,518									
Inspection Amount (budgeted costs for materials inspections):										22.0 FTE Rate \$379,841 = \$8,356,496 + PSS \$166,400 = \$8,522,896									
LLW Surcharge Amount (see FEE-RELIEF ACTIVITIES Sheet for further details):																			
Total LLW surcharge to be recovered:										\$3,718,726									
Percentage to be recovered from materials licenses:										10.0%									
Amount to be recovered from materials licenses:										\$371,873									
No. of affected licenses:										432									
LLW Surcharge per license:										\$863									
Other Fee-Relief Amount (see FEE-RELIEF ACTIVITIES Sheet for further details):																			
Total other fee-relief to be recovered:										-\$17,149,497									
Percentage to be recovered from materials licenses:										2.7%									
Amount to be recovered from materials licenses:										-\$470,628									
TOTAL GENERAL = TOTAL Part 171 amount less INSPECTION less UNIQUE:										\$K 31,917 - \$K 8,523 - \$K 158 = \$K 23,235									
ANNUAL FEE MULTIPLIER = TOTAL GENERAL / Total of Calc of Gen. Multiple col.:										23,235 / 14,774 = 1.57									
INSPECTION MULTIPLIER = INSPECTION AMOUNT / Total Calc of Insp. Multiple col.:										\$8,522,896 / 3,629 = 2.35									
FEE-RELIEF MULTIPLIER = Fee-Relief amount to be adjusted for materials licenses / Total of Calc of Gen. Multiple col.:										-\$470,628 / 14,774 = -0.0319									
COL (5) = COL (1) * [COL (2) + COL (3) * COL (4)]																			
COL (6) = COL (1) * [COL (3) * COL (4)]																			
COL (7) = GENERAL MULTIPLIER * [COL (2) + COL (3) * COL (4)]																			
COL (8) = (UNIQUE COSTS) / (NO. OF APPLICABLE LICENSES)																			
COL (9) = INSPECTION MULTIPLIER * [COL (3) * COL (4)]																			
COL (10) = COL (7) + COL (8) + COL (9)																			
COL (11) = LLW SURCHARGE * % Allocated * LLW Costs / # affected licenses																			
COL (12) = FEE-RELIEF MULTIPLIER * [COL (2) + COL (3) * COL (4)]																			
COL (13) = COL (10) + COL (11) + COL (12)																			
COL (14) = [COL (1) * COL (10)] / 1000																			
COL (15) = [COL (1) * COL (13)] / 1000																			

Part 171 Annual Fees

Transportation

Section III.B.2.h

Table XVII

Table XVIII

Consistent with the policy established in the NRC's FY 2006 final fee rule, the NRC will recover generic transportation costs unrelated to DOE as part of existing annual fees for license fee classes. NRC will continue to assess a separate annual fee under §171.16, fee category 18.A., for DOE transportation activities.

The resources associated with generic transportation activities are distributed to the license fee classes based on the number of CoCs benefiting (used by) that fee class, as a proxy for the generic transportation resources expended for each fee class. The amount of the generic resources allocated is calculated by multiplying the percentage of total CoCs used by each fee class (and DOE) by the total generic transportation resources to be recovered.

FY 2013 MISSION DIRECT BUDGETED RESOURCES				
			TRANSPORTATION ALLOCATIONS	
	TOTAL			
	CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	2.1	0.1
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	466.3	21.3
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	468.4	21.4
Figures below in \$, M (unless otherwise indicated)				
(1) FY 2013 ALLOCATIONS: equals \$, K + FTE*FTE rate (shown below)				8.6
(2) LESS ESTIMATED PART 170 FEE COLLECTIONS				2.6
(3) PART 171 ALLOCATIONS (equals 1 - 2)				6.0
(4) GENERIC TRANSPORTATION RESOURCES (allocated)				-4.6
				1.4
(6) FY 2013 TOTAL ALLOCATIONS (after transportation allocation) (equals 2+5)				4.0
(7) % OF BUDGET (% total allocations, excl. fee-relief activities, import/export alloc, small entity)				0.42%
(8) Fee-Relief Adjustment (includes small entity) + LLW Surcharge				-0.1
(9) Fee-Relief Adjustment and LLW Surcharge per licensee				
(10) Part 171 billing adjustments				0.0
(11) Adjustment for Rescission				0.0000
(12) TOTAL FY 2013 ANNUAL FEE (equals 5+8+10+11)				1.3044
(13) Number of Licensees				1
(14) Fee Per License (equals 12/13)				1.304436
				(DOE's fee)
unrounded annual fee amount per license, actual \$				1,304,436
rounded annual fee, actual \$				1,304,000

**Mission Direct Budgeted Resources for
Transportation Fee Class**

	FY13		FY12		Difference	
	Contract (\$,K)	FTE	Contract (\$,K)	FTE	Contract (\$,K)	FTE
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: NEW REACTORS						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR REACTOR SAFETY						
BUSINESS LINE: OPERATING REACTORS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.0	0	0.0	0	0.0
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Enforcement	1	0.1	1	0.2	0	(0.1)
Event Evaluation	0	0.0	0	0.0	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	1	0.0	1	0.0	(0)	0.0
Research & Test Reactor Insp.	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Total Direct Resources	2	0.1	2	0.2	0	(0.1)
Grand Total Nuclear Reactor Safety	2	0.1	2	0.2	0	(0.1)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: FUEL FACILITIES						
PRODUCT LINE/PRODUCTS:						
Total Direct Resources	0	0.0	0	0.0	0	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: NUCLEAR MATERIALS USERS						
PRODUCT LINE/PRODUCTS:						
Oversight						
Allegations & Investigations	0	0.1	0	0.1	0	0.0
Enforcement	0	0.0	0	0.1	0	(0.1)
Event Evaluation	0	0.2	0	0.2	0	0.0
Inspection	0	0.0	0	0.0	0	0.0
Mission IT	20	0.0	0	0.0	20	0.0
Security	0	0.0	0	0.0	0	0.0
Rulemaking						
Rulemaking	0	0.0	0	1.9	0	(1.9)
State Tribal and Federal Programs						
Agreement States	0	0.2	0	0.2	0	0.0
Liaison	0	0.0	0	0.0	0	0.0
Training						
Mission Training	84	0.1	87	0.1	(3)	0.0
NSPDP Training	0	0.0	0	0.0	0	0.0
Total Direct Resources	104	0.6	87	2.6	17	(2.0)
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: DECOMMISSIONING AND LOW LEVEL WASTE						
PRODUCT LINE/PRODUCTS:						
Mission Training						
Training	18	0.0	4	0.0	14	0.0
Total Direct Resources	18	0.0	4	0.0	14	0.0
PROGRAM: NUCLEAR MATERIALS AND WASTE SAFETY						
BUSINESS LINE: SPENT FUEL STORAGE AND TRANSPORTATION						
PRODUCT LINE/PRODUCTS:						
Licensing						
Emergency Preparedness	0	0.0	0	0.0	0	0.0
Environmental Reviews	0	0.8	0	0.0	0	0.8
Licensing Support	19	2.5	0	0.0	19	2.5
Mission IT	0	0.0	0	0.0	0	0.0
Security	0	0.0	0	0.0	0	0.0
Storage Licensing	0	0.0	57	1.2	(57)	(1.2)
Transportation Certification	190	8.4	284	11.7	(94)	(3.3)
Oversight						
Inspection	0	5.7	0	4.8	0	0.9
Rulemaking						
Rulemaking (PL)	68	2.8	73	2.0	(5)	0.8
Security	0	0.0	0	0.0	0	0.0
Training						
Mission Training	67	0.0	28	0.0	39	0.0
NSPDP Training	0	0.5	0	0.7	0	(0.2)
Travel						
Mission Travel	0	0.0	0	0.0	0	0.0
Total Direct Resources	344	20.7	441	20.4	(98)	0.3
Grand Total Nuclear Materials & Waste Safety	468	21.3	532	23.0	(66)	(1.7)
TOTAL TRANSPORTATION	468	21.4	534	23.2	(66)	(1.8)
Total value of budgeted resources for fee class(mission direct FTE x full cost of FTE + mission direct contract \$)	\$8,597		\$9,240		(\$643)	

TRANSPORTATION ANNUAL FEES

FY 2013

The total transportation budgeted costs of \$6,021,992 to be recovered from annual fees (not including fee-relief adjustments) is to be obtained from two sources:

1. Department of Energy (DOE)--has own annual fee (fee category 18A)
2. Other licensees (included in their annual fees)

Distribute these costs to DOE and the fee classes based on the percentage of CoCs benefitting (used) per fee class:

Fee Class	# CoCs	% CoCs	Transportation Resources to be included in annual fees	Resources in Millions
DOE	20.00	22.9%	\$1,376,202	\$1.38
Operating Reactors	20.00	22.9%	\$1,376,202	\$1.38
Spent fuel/reactor decom	10.00	11.4%	\$688,101	\$0.69
T&R reactors	0.52	0.6%	\$35,515	\$0.04
Fuel Facilities	13.00	14.9%	\$894,531	\$0.89
Materials Users	24.00	27.4%	\$1,651,442	\$1.65
Total	87.52	100.0%	\$6,021,992	\$6.02

Regulatory Flexibility Analysis

Section X.

The Regulatory Flexibility Act (RFA), as amended 5 U.S.C. § 601 *et seq.*, requires that agencies consider the impact of their rulemakings on small entities and, consistent with applicable statutes, consider alternatives to minimize these impacts on the businesses, organizations, and government jurisdictions to which they apply.

Additionally, the Small Business Regulatory Enforcement Fairness Act (SBREFA) requires all Federal agencies to prepare a written compliance guide for each rule for which the agency is required to prepare a regulatory flexibility analysis. Therefore, in compliance with the law, the NRC has made publicly available via ADAMS the "FY 2013 Small Entity Compliance Guide".

Licensees may use this guide to determine whether they qualify as a small entity under NRC regulations and are eligible to pay reduced FY 2013 annual fees assessed under 10 CFR part 171. The NRC has established two tiers of annual fees for those materials licensees who qualify as small entities under the NRC's size standards.

Budget Authority (FY 2013)

Budget Authority (FY 2013)

FY 2013 Budget Summary by Program

This report is provided as supplemental information. It provides a summary of the FY 2013 budgeted FTE and contract dollars allocated to each fee class and fee-relief/surcharge activities at the Program level. The Programs include: 1) Nuclear Reactor Safety, 2) Nuclear Materials & Waste Safety, 3) Corporate Support, and 4) Inspector General.

FY 2013 MISSION DIRECT BUDGETED RESOURCES													
Based on: Congressional Budget Justification													
	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		TEST AND RESEARCH REACTORS		FUEL FACILITY		MATERIALS		
	ALLOCATIONS		ALLOCATIONS		ALLOCATIONS		ALLOCATIONS		ALLOCATIONS		ALLOCATIONS		
	CONTRACT		CONTRACT		CONTRACT		CONTRACT		CONTRACT		CONTRACT		
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	125,162.6	1,754.6	2.2	0.1	119.3	3.7	0.0	0.0	0.0	0.0	
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	2,918.0	9.8	5,821.4	78.4	0.0	0.0	4,371.0	129.5	806.6	81.7	
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
INSPECTOR GENERAL	1,392.0	58.0											
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	128,080.6	1,764.4	5,823.6	78.5	119.3	3.7	4,371.0	129.5	806.6	81.7	

Based on: Congressional Budget Justification

Based on: Congressional Budget Justification														
	TOTAL		TRANSPORTATION ALLOCATIONS		URANIUM RECOVERY ALLOCATIONS		IMPORT/EXPORT ALLOCATIONS		INCLUDED IN FEE-RELIEF ACTIVITIES		INCLUDED IN HOURLY & FTE RATE (overhead)		NONPROFIT ED. EXEMPTION	
	CONTRACT		CONTRACT		CONTRACT		CONTRACT		CONTRACT		CONTRACT		CONTRACT	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	2.1	0.1	0.0	0.0	0.0	0.0	2,528.8	35.6	16,080.0	0.0	852.8	22.6
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	466.3	21.3	3,480.0	21.5	0.0	2.4	8,348.7	140.7	3,998.0	0.0	68.0	3.4
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0	0.0	0.0	0.0	0.0	5,385.0	6.0	254,330.0	1,532.5	0.0	0.0
INSPECTOR GENERAL	1,392.0	58.0									1,392.0	58.0		
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	468.4	21.4	3,480.0	21.5	0.0	2.4	16,262.5	182.3	275,800.0	1,590.5	920.8	26.0

FY 2013 MISSION DIRECT BUDGETED RESOURCES															
Based on: Congressional Budget Justification															
	TOTAL		INTERNATIONAL ACTIVITIES		AGREEMENT STATE OVERSIGHT		AGREEMENT STATE REG SUPPORT		ISL RULE/ GEN LICENSEES/ FELLOWSHIPS		GENERIC DECOMMISS/ RECLAMATION		GENERIC LLW CONTRACT		
	CONTRACT	FTE	CONTRACT	FTE	CONTRACT	FTE	CONTRACT	FTE	CONTRACT	FTE	CONTRACT	FTE	CONTRACT	FTE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	
NUCLEAR REACTOR SAFETY	143,895.0	1,794.1	14.0	6.0	0.0	0.0	0.0	0.0	1,662.0	7.0	0.0	0.0	0.0	0.0	
NUCLEAR MATERIALS & WASTE SAFETY (no HLW/Gen Fund)	30,210.0	485.3	698.0	20.0	1,222.0	24.7	2,545.7	39.0	610.0	2.2	2,525.0	43.4	680.0	8.0	
CORPORATE & OFFICE SUPPORT	259,715.0	1,538.5	0.0	0.0	0.0	0.0	0.0	0.0	5,385.0	6.0	0.0	0.0	0.0	0.0	
INSPECTOR GENERAL	1,392.0	58.0													
SUBTOTAL - FEE BASE RESOURCE	435,212.0	3,875.9	712.0	26.0	1,222.0	24.7	2,545.7	39.0	7,657.0	15.2	2,525.0	43.4	680.0	8.0	

Budget Authority (FY 2013)

FY 2013 Budget by Product Line

These reports are provided as supplemental information. They provide a summary of the FY 2013 budgeted FTE and contract dollars by Product Line and allocated by: 1) the Nuclear Reactor Safety Program and the Nuclear Materials & Waste Safety Program, 2) Corporate Support, 3) Inspector General, and 4) each office with mission direct budgeted resources.

The offices include:

- Office of Inspector General
- Office of Research
- Office of Nuclear Reactor Regulations
- Office of New Reactors
- Regional Offices
- Office of Nuclear Material Safety and Safeguards
- Office of Federal and State Materials and Environmental Management Programs
- Office of Nuclear Security and Incident Response
- Office of General Counsel
- Advisory Committee on Reactor Safeguards
- Office of International Programs
- Office of Enforcement
- Office of Investigations
- Atomic Safety and Licensing Board
- Office of Human Resources
- Office of Administration

FY 2013 BUDGET RESOURCES FOR OFFICE OF INSPECTOR GENERAL

Budget Resources Allocated to Fee Classes					Hourly Rate Contract (\$,K)	Hourly Rate FTE
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE		
Inspector General	Inspector General (IG)	Inspector General (PL)	1,392	58	1,392	58
Grand Total			1,392	58	1,392	58

FY 2013 BUDGET RESOURCES FOR OFFICE OF RESEARCH

OFFICE RES

			Budget Resources Allocated to Fee Classes													
					Power Reactors Contract (\$,K)	Power Reactors FTE	Spent Fuel Stor/Reactor Decomm. Contract (\$,K)	Spent Fuel Stor/Reactor Decomm. FTE	Fuel Facility Contract (\$,K)	Fuel Facility FTE	Materials Contract (\$,K)	Materials FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE												
Corporate Support	Office Support	Administrative Services	118	1									0	0	118	1
		Financial Mgmt.	0	4									0	0	0	4
		Human Resource Mgmt.	0	1									0	0	0	1
		Information Mgmt.	23	1									0	0	23	1
		Information Technology	0	1									0	0	0	1
		Support Staff	0	43									0	0	0	43
		Training	47	0									0	0	47	0
		Acquisitions	0	9.1									0	0	0	9.1
			0	2									0	2		
Nuclear Materials and Waste Safety	Decommissioning & LLW Fuel Facilities	Research	50	0.8					50	0.8			0	0		
		Rulemaking (PL)	0	0					0	0			0	0		
	Nuclear Materials Users	Research	492	3							59	0.4	432	2.6		
		Travel (PL)	26	0									0	0	26	
	Spent Fuel Storage and Transportation	Research	1,495	4			1495	4					0	0		
													0	0		
Nuclear Reactor Safety	New Reactors	Research	5,163	21.5	5,163	21.5							0	0		
		Research	41,508	127.6	41,508	127.6							0	0		
	Operating Reactors	Rulemaking (PL)	3,968	18.1	3,968	18.1							0	0		
		Training	254	2	254	2							0	0		
		Travel (PL)	1,132	0									0	0	1,132	
		Grand Total		54,276	239.1	50,893	169.2	1495	4	50	0.8	59	0.4	432	4.6	1,346

FY 2013 BUDGET RESOURCES FOR OFFICE OF NUCLEAR REACTOR REGULATIONS

OFFICE NRR

			Budget Resources Allocated to Fee Classes														
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Fuel Facilities Contract (\$,K)	Fuel Facilities FTE	Test & Research Reactors Contract (\$,K)	Test & Research Reactors FTE	Materials Contract (\$,K)	Materials FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE	
Corporate Support	Corporate Support Office Support	Outreach	754	2									0	0	754	2	
		Financial Mgmt.	0	4									0	0	0	4	
		Human Resource Mgmt.	0	1									0	0	0	1	
		Information Mgmt	0	3									0	0	0	3	
		Information Technology	0	0									0	0	0	0	
		Support Staff	0	96.9									0	0	0	96.9	
		Training	41	0									0	0	41	0	
Nuclear Materials and Waste Safety	Decommissioning & LLW Fuel Facilities	Licensing	0	0.4	0	0					0.4	0	0				
		Licensing	0	0.3	0	0	0.3					0	0				
Nuclear Reactor Safety	New Reactors	Licensing	300	16.5	300	16.5							0	0			
		Oversight	209	12.8	209	12.8							0	0			
		Rulemaking (PL)	0	0	0	0							0	0			
		Travel (PL)	158	0									0	0	158		
	Operating Reactors	International Activities	155	8.2	155	8.2							0	0			
		Rulemaking (PL)	625	26.8	625	26.8							0	0			
		Training	304	3	302	3			0.3				2	0			
		Travel (PL)	2,058	0									0	0	2,058		
Grand Total		20,786	959.5	15,386	814.9		0.3	81.3	3.7		0.4	2,264	29.3	3,055	110.9		

FY 2013 BUDGET RESOURCES FOR OFFICE OF NEW REACTORS

OFFICE	NRO
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			Budget Resources Allocated to Fee Classes					
					Power Reactors Contract (\$,K)	Power Reactors FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE				
Corporate Support	Corporate Support Office Support	Policy Support	0	2			0	2
		Administrative Services	1,014	1			1,014	1
		Financial Mgmt.	0	4			0	4
		Human Resource Mgmt.	0	1			0	1
		Information Mgmt.	0	1			0	1
		Information Technology	0	1			0	1
		Support Staff	0	88.5			0	88.5
		Training	230	0			230	0
		Travel (PL)	75	0			75	0
		Acquisitions	0	7			0	7
Nuclear Reactor Safety	New Reactors	International Activities	60	2	60	2		
		Licensing	30,453	269.4	30,453	269.4		
		Oversight	1,501	116	1,501	116		
		Rulemaking (PL)	220	7.4	220	7.4		
		Travel (PL)	2,116	0			2,116	
		Oversight	0	3	0	3		
		Rulemaking (PL)	0	0	0	0		
Grand Total			40,369	520.8	36,934	415.3	3,435	105.5

FY 2013 BUDGET RESOURCES FOR REGIONAL OFFICES

				Budget Resources Allocated to Fee Classes							
Program	Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE		
Region I	Corporate Support	Corporate Support	Administrative Services	4,376	0			4,376	0		
			Information Mgmt.	0	0			0	0		
			Information Technology	582	0			582	0		
			Administrative Services	0	3			0	3		
			Financial Mgmt.	0	5			0	5		
			Human Resource Mgmt.	100	5			100	5		
			Information Mgmt.	314	1			314	1		
			Information Technology	0	6			0	6		
			Support Staff	0	54			0	54		
			Training	238	0			238	0		
			Acquisitions	0	2			0	2		
			Nuclear Materials and Waste Safety	Decommissioning & LLW	Travel (PL)	33	0			33	0
				Nuclear Materials Users	Travel (PL)	491	0			491	0
				Spent Fuel Storage and Transportation	Travel (PL)	22	0			22	0
			Nuclear Reactor Safety	New Reactors	Travel (PL)	22	0			22	0
Operating Reactors	Travel (PL)	2,113		0			2,113	0			
		8,291		76			8,291	76			
Region I Total											
Region II	Corporate Support	Corporate Support	Administrative Services	4,099	0			4,099	0		
			Information Technology	778	0			778	0		
			Policy Support	0	1			0	1		
			Administrative Services	0	2.5			0	2.5		
			Financial Mgmt.	116	8			116	8		
			Human Resource Mgmt.	125	5			125	5		
			Information Mgmt.	443	1.5			443	1.5		
			Training	286	0			286	0		
			Nuclear Materials and Waste Safety	Fuel Facilities	Travel (PL)	554	0			554	0
				Nuclear Materials Users	Travel (PL)	16	0			16	0
				Spent Fuel Storage and Transportation	Travel (PL)	18	0			18	0
			Nuclear Reactor Safety	New Reactors	Travel (PL)	888	0			888	0
				Operating Reactors	Travel (PL)	2,046	0			2,046	0
						9,369	85.9			9,369	85.9
			Region II Total								
Region III	Corporate Support	Corporate Support	Administrative Services	4,245	0			4,245	0		
			Information Technology	405	0			405	0		
			Administrative Services	0	6.5			0	6.5		
			Financial Mgmt.	0	2			0	2		
			Human Resource Mgmt.	0	3.5			0	3.5		
			Information Mgmt.	186	3			186	3		
			Information Technology	0	4.9			0	4.9		
			Support Staff	0	48.5			0	48.5		
			Training	196	0			196	0		
			Travel (PL)	0	0			0	0		
			Acquisitions	0	2			0	2		
			Nuclear Materials and Waste Safety	Decommissioning & LLW	Travel (PL)	35	0			35	0
				Nuclear Materials Users	Travel (PL)	344	0			344	0
				Spent Fuel Storage and Transportation	Travel (PL)	24	0			24	0
			Nuclear Reactor Safety	New Reactors	Travel (PL)	12	0			12	0
Operating Reactors	Travel (PL)	1,759		0			1,759	0			
		7,206		70.4			7,206	70.4			
Region III Total											
Region IV	Corporate Support	Corporate Support	Administrative Services	4,339	0			4,339	0		
			Information Technology	639	0			639	0		
			Administrative Services	0	8			0	8		
			Financial Mgmt.	0	5			0	5		
			Human Resource Mgmt.	0	5			0	5		
			Information Mgmt.	87	0			87	0		
			Information Technology	0	4.9			0	4.9		
			Support Staff	0	43			0	43		
			Training	139	0			139	0		
			Nuclear Materials and Waste Safety	Decommissioning & LLW	Travel (PL)	26	0			26	0
				Fuel Facilities	Travel (PL)	10	0			10	0
				Nuclear Materials Users	Travel (PL)	433	0			433	0
			Nuclear Reactor Safety	Spent Fuel Storage and Transportation	Travel (PL)	37	0			37	0
				New Reactors	Travel (PL)	62	0			62	0
				Operating Reactors	Event Response	495	0	495	0	495	0
		2,491	0			2,491	0				
Region IV Total											
Grand Total											
				8,758	65.9	495	0	8,263	65.9		
				33,624	298.2	495	0	33,129	298.2		

OFFICE	NMSS
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OFFICE _____ FSME _____

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FY 2013 BUDGET RESOURCES FOR OFFICE OF NUCLEAR SECURITY AND INCIDENT RESPONSE

OFFICE NSIR

			Budget Resources Allocated to Fee Classes																	
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Spent Fuel Stor/Reactor Decomm. Contract (\$,K)	Spent Fuel Stor/Reactor Decomm. FTE	Fuel Facility Contract (\$,K)	Fuel Facility FTE	Test & Research Reactors Contract (\$,K)	Test & Research Reactors FTE	Materials Contract (\$,K)	Materials FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE		
Corporate Support	Corporate Support	Human Resource Mgmt.	0	0											0	0	0	0		
		Information Mgmt.	2,167	11.2												0	0	2,167	11.2	
	Office Support	Training	0	0.5												0	0	0	0.5	
		Administrative Services	125	1												0	0	125	1	
		Financial Mgmt.	0	5												0	0	0	5	
		Human Resource Mgmt.	0	1												0	0	0	1	
		Information Mgmt.	85	1												0	0	85	1	
		Information Technology	0	1												0	0	0	1	
		Support Staff	0	33.5												0	0	0	33.5	
		Training	173	0												0	0	173	0	
		Travel (PL)	61	0												0	0	61	0	
		Nuclear Materials and Waste Safety	Fuel Facilities	Event Response	0	2.5					0	2.5					0	0		
			International Activities	65	2.6					65	2.6						0	0		
			Licensing	0	4.5					0	4.5						0	0		
			Oversight	292	10					292	10						0	0		
	Rulemaking (PL)		182	3.1					182	3.1						0	0			
	Nuclear Materials Users		Training	30	0					30	0						0	0		
			Event Response	0	3.7										0	0.6	0	3.1		
			International Activities	0	0.3										0	0.3	0	0		
			Licensing	0	0.9										0	0.9	0	0		
			Oversight	0	0.3										0	0.3	0	0		
			Rulemaking (PL)	0	0										0	0	0	0		
	Spent Fuel Storage and Transportation		Training	25	0										24	0	0	0		
			Licensing	83	2.9			83	2.9								0	0		
			Oversight	0	1.8			0	1.8								0	0		
		Rulemaking (PL)	900	1			900	1								0	0			
	Nuclear Reactor Safety	New Reactors	International Activities	0	0	0	0									0	0			
Licensing			2,300	15.5	2,300	15.5									0	0				
Oversight			650	3.2	650	3.2									0	0				
Rulemaking (PL)			0	0	0	0									0	0				
Training			42	0	42	0									0	0				
Travel (PL)			30	0											0	0	30			
Operating Reactors		Event Response	4,856	41.4	4,856	41.4										0	0			
		Licensing	1,480	15.7	1,280	15.5					28.6	0				171	0.2			
		Oversight	3,438	72.1	3,438	72.1										0	0			
		Rulemaking (PL)	371	5.4	371	5.4										0	0			
		Training	73	1	73	1										0	0			
		Travel (PL)	221	0												0	0	221		
		Grand Total			17,649	242.1	13,010	154.1	983	5.7	569	22.7	28.6	0	24	2.1	173	3.3	2,862	54.2

FY 2013 BUDGET RESOURCES FOR OFFICE OF GENERAL COUNSEL

OFFICE OGC

			Budget Resources Allocated to Fee Classes																
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Fuel Facilities Contract (\$,K)	Fuel Facilities FTE	Materials Contract (\$,K)	Materials FTE	Transportation Contract (\$,K)	Transportation FTE	Uranium Recovery Contract (\$,K)	Uranium Recovery FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract	Hourly Rate FTE	
Corporate Support	Corporate Support	Policy Support	593	19.1											0	0	593	19.1	
	Office Support	Travel (PL)	25	0											0	0	25	0	
		Financial Mgmt.	0	1											0	0	0	1	
		Human Resource Mgmt.	0	1											0	0	0	1	
		Information Mgmt.	0	0											0	0	0	0	
		Information Technology	0	1											0	0	0	1	
		Support Staff	0	21.5											0	0	0	21.5	
		Training	78	0											0	0	78	0	
		Travel (PL)	0	0											0	0	0	0	
	Nuclear Materials and Waste Safety	Decommissioning & LLW	Licensing	0	7.6										1.1	0	6.5		
Rulemaking (PL)			0	0.2											0	0.2			
Travel (PL)			10	0											0	0	10	0	
Fuel Facilities		Licensing	0	2.2			0	2.2							0	0			
		Rulemaking (PL)	0	0											0	0			
		Travel (PL)	6	0											0	0	6		
Nuclear Materials Users		International Activities	0	0.7											0	0.7			
		Licensing	0	3.8					0	3.6					0	0.2			
		Rulemaking (PL)	0	0.5					0	0.5					0	0			
		State Tribal and Federal Pgms	0	1											0	1			
Spent Fuel Storage and Transportation		Travel (PL)	12	0											0	0	12		
		Licensing	0	0.8							0	0.8			0	0			
		Rulemaking (PL)	0	0.6							0	0.6			0	0			
Nuclear Reactor Safety	New Reactors	Licensing	0	23.6	0	23.6									0	0			
		Rulemaking (PL)	0	0.5	0	0.5									0	0			
		Travel (PL)	44	0											0	0	44		
	Operating Reactors	Licensing	0	17.1	0	17.1									0	0			
		Oversight	0	0.8	0	0.8									0	0			
		Rulemaking (PL)	0	1.4	0	1.4									0	0			
Grand Total			787	104.4	0	43.4	0	2.2	0	4.1	0	1.4		1.1	0	8.6	787	43.6	

FY 2013 BUDGET RESOURCES FOR ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

OFFICE	ACRS
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			Budget Resources Allocated to Fee Classes									
					Power Reactors Contract (\$,K)	Power Reactors FTE	Fuel Facility Contract (\$,K)	Fuel Facility FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE								
Corporate Support	Office Support	Information Technology	0	0					0	0	0	0
		Support Staff	0	4					0	0	0	4
		Training	46	0					0	0	46	0
Nuclear Materials and Waste Safety	Decommissioning & LLW	Licensing	0	1					0	1		
		Travel (PL)	7	0					0	0	7	0
	Fuel Facilities	Licensing	0	1			0	1	0	0		
		Travel (PL)	14	0					0	0	14	
		Nuclear Reactor Safety	New Reactors	Licensing	79	13	79	13			0	0
Travel (PL)	115			0					0	0	115	
Operating Reactors	Licensing		162	18	162	18			0	0		
	Travel (PL)		246	0					0	0	246	
Grand Total			669	37	241	31	0	1	0	1	428	4

FY 2013 BUDGET RESOURCES FOR OFFICE OF INTERNATIONAL PROGRAMS

OFFICE	OIP
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Budget Resources Allocated to Fee Classes										
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Import/Export Contract (\$,K)	Import/Export FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Corporate Support	Corporate Support	Policy Support	5,993	15			0	0	5,993	15
	Office Support	Financial Mgmt.	0	2			0	0	0	2
		Information Technology	0	0			0	0	0	0
		Support Staff	0	10			0	0	0	10
		Training	16	0			0	0	16	0
		Travel (PL)	349	0			0	0	349	0
		Acquisitions	0	0			0	0	0	0
		Nuclear Materials and Waste Safety	Decommissioning & LLW	International Activities	0	1		0	1	
	Nuclear Materials Users	International Activities	0	7	2	0	5			
Nuclear Reactor Safety	New Reactors	International Activities	0	3		0	3			
	Operating Reactors	International Activities	0	3	0	0	3			
Grand Total			6,358	41		2	0	12	6,358	27

OFFICE	OE
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FY 2013 BUDGET RESOURCES FOR OFFICE OF INVESTIGATIONS

OFFICE OI

			Budget Resources Allocated to Fee Classes									
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Materials Contract (\$,K)	Materials FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Corporate Support	Office Support	Information Technology	0	0					0	0	0	0
		Support Staff	0	10					0	0	0	10
		Training	51	0					0	0	51	0
Nuclear Materials and Waste Safety	Nuclear Materials Users	Oversight	0	6			0	5.7	0	0.3		
		Travel (PL)	78	0					0	0	78	
Nuclear Reactor Safety	New Reactors	Oversight	0	0.5	0	0.5			0	0		
		Travel (PL)	24	0					0	0	24	
	Operating Reactors	Oversight	85	24	85	24			0	0		
		Travel (PL)	215	0					0	0	215	
Grand Total			453	40.5	85	24.5	0	5.7	0	0.3	368	10

FY 2013 BUDGET RESOURCES FOR ATOMIC SAFETY AND LICENSING BOARD

OFFICE	ASLBP
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			Budget Resources Allocated to Fee Classes													
					Power Reactors Contract (\$,K)	Power Reactors FTE	Fuel Facilities Contract (\$,K)	Fuel Facilities FTE	Materials Contract (\$,K)	Materials FTE	Uranium Recovery Contract (\$,K)	Uranium Recovery FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE												
Corporate Support	Corporate Support	Administrative Services	883	1									0	0	883	1
	Office Support	Support Staff	0	6									0	0	0	6
		Training	125	0									0	0	125	0
Nuclear Materials and Waste Safety	Decommissioning & LLW	Licensing	60	3							60	3	0	0		
		Travel (PL)	27	0									0	0	27	0
			60	1			60	1					0	0		
	Fuel Facilities	Licensing	60	1									0	0		
		Travel (PL)	18	0									0	0	18	
	Nuclear Materials Users	Licensing	81	2					77	1.9			4	0.1		
		Travel (PL)	32	0									0	0	32	
Nuclear Reactor Safety	New Reactors	Licensing	1,641	18.5	1,641	18.5							0	0		
		Travel (PL)	55	0									0	0	55	
	Operating Reactors	Licensing	85	7	85	7							0	0		
		Travel (PL)	23	0									0	0	23	
Grand Total			3,090	38.5	1,726	25.5	60	1	77	1.9	60	3	4	0.1	1,163	7

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FY 2013 BUDGET RESOURCES FOR OFFICE OF ADMINISTRATION

OFFICE	ADM
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			Budget Resources Allocated to Fee Classes									
Program	Business Lines	Product Lines	Total Contract (\$,K)	Total FTE	Power Reactors Contract (\$,K)	Power Reactors FTE	Fee Relief Contract (\$,K)	Fee Relief FTE	Hourly Rate Contract (\$,K)	Hourly Rate FTE		
Corporate Support	Corporate Support	Administrative Services	86,865	83			0	0	86,865	83		
		Financial Mgmt.	0	0			0	0	0	0		
		Human Resource Mgmt.	145	1			0	0	145	1		
		Information Mgmt.	272	0			0	0	272	0		
		Policy Support	78	0			0	0	78	0		
		Travel (PL)	66	0			0	0	66	0		
		Generic HLS (PL)	0	0			0	0				
	Office Support	Acquisitions	13,555	53			0	0	13,555	53		
		Administrative Services	580	0			0	0	580	0		
		Financial Mgmt.	0	3			0	0	0	3		
		Human Resource Mgmt.	0	1			0	0	0	1		
		Information Mgmt.	50	1			0	0	50	1		
		Information Technology	0	0			0	0	0	0		
		Support Staff	0	33			0	0	0	33		
		Training	92	0			0	0	92	0		
		Travel (PL)	12	0			0	0	12	0		
		Acquisitions	0	1			0	0	0	1		
		Nuclear Reactor Safety	New Reactors	Licensing	1,700	10	1,700	10	0	0		
			Operating Reactors	International Activities	0	0			0	0		
Grand Total			103,415	186	1,700	10	0	0	101,715	176		

Omnibus Budget Reconciliation Act of 1990 (OBRA-90)

Referenced throughout the proposed rule

This document is provided as supplemental information. The proposed amendments to 10 CFR Parts 170 and 171 are necessary to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended. The OBRA-90, as amended, requires that the NRC recover approximately 90 percent of its budget authority in fiscal year 2013, less the amounts appropriated for Waste Incidental to Reprocessing, and amounts appropriated for generic homeland security activities.

42 U.S.C.A. § 2214

▷

Effective: November 19, 2005

United States Code Annotated Currentness

Title 42. The Public Health and Welfare

Chapter 23. Development and Control of Atomic Energy (Refs & Annos) Division A. Atomic Energy Subchapter XIII. General Authority of Commission (Refs & Annos)

➔ § 2214. NRC user fees and annual charges

(a) Annual assessment

(1) In general

Except as provided in paragraph (3), the Nuclear Regulatory Commission (in this section referred to as the "Commission") shall annually assess and collect such fees and charges as are described in subsections (b) and (c) of this section.

(2) First assessment

The first assessment of fees under subsection (b) of this section and annual charges under subsection (c) of this section shall be made not later than September 30, 1991.

(3) Last assessment of annual charges

The last assessment of annual charges under subsection (c) of this section shall be made not later than September 20, 2005.

(b) Fees for service or thing of value

Pursuant to section 9701 of Title 31, any person who receives a service or thing of value from the Commission shall pay fees to cover the Commission's costs in providing any such service or thing of value.

(c) Annual charges

(1) Persons subject to charge

Except as provided in paragraph (4), any licensee or certificate holder of the Commission may be required to pay, in addition to the fees set forth in subsection (b) of this section, an annual charge.

(2) Aggregate amount of charges

(A) In general

The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less--

(i) amounts collected under subsection (b) of this section during the fiscal year; and

(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

(B) Percentages

The percentages referred to in subparagraph (A) are--

(i) 98 percent for fiscal year 2001;

(ii) 96 percent for fiscal year 2002;

(iii) 94 percent for fiscal year 2003;

(iv) 92 percent for fiscal year 2004; and

(v) 90 percent for fiscal year 2005 and fiscal year 2006.

(3) Amount per licensee

The Commission shall establish, by rule, a schedule of charges fairly and equitably allocating the aggregate amount of charges described in paragraph (2) among licensees. To the maximum extent practicable, the charges shall have a reasonable relationship to the cost of providing regulatory services and may be based on the allocation of the Commission's resources among licensees or classes of licensees.

(4) Exemption

(A) In general

Paragraph (1) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(B) Research reactor

For purposes of subparagraph (A), the term "research reactor" means a nuclear reactor that--

(i) is licensed by the Nuclear Regulatory Commission under section 2134(c) of this title for operation at a thermal power level of 10 megawatts or less; and

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(ii) if so licensed for operation at a thermal power level of more than 1 megawatt, does not contain--

(I) a circulating loop through the core in which the licensee conducts fuel experiments;

(II) a liquid fuel loading; or

(III) an experimental facility in the core in excess of 16 square inches in cross-section.

(d) "Nuclear Waste Fund" defined

As used in this section, the term "Nuclear Waste Fund" means the fund established pursuant to section 10222(c) of this title.

CREDIT(S)

(Pub.L. 101-508, Title VI § 6101, Nov. 5, 1990, 104 Stat. 1388-298; Pub.L. 102-486, Title XXIX, § 2903(a), Oct. 24, 1992, 106 Stat. 3125; Pub.L. 103-66, Title VII, § 7001, Aug. 10, 1993, 107 Stat. 401; Pub.L. 105-245, Title V, § 505, Oct. 7, 1998, 112 Stat. 1856; Pub.L. 106-60, Title VI, § 604, Sept. 29, 1999, 113 Stat. 501; Pub.L. 106-377, § 1(a)(2) [Title VIII], Oct. 27, 2000, 114 Stat. 1441, 1441A-86; Pub.L. 109-103, Title IV, Nov. 19, 2005, 119 Stat. 2283.)

AMENDMENT OF SUBSEC. (A).

<Pub.L. 109-58, Title VI, § 637(a)(1), (c), Aug. 8, 2005, 119 Stat. 791, provided that, effective Oct. 1, 2006, subsec. (a) of this section is amended:->

<by striking "Except as provided in paragraph (3), the" and inserting "The" in paragraph (1); and>

<by striking paragraph (3).>

AMENDMENT OF SUBSEC. (C).

<Pub.L. 109-58, Title VI, § 637(a)(2), (c), Aug. 8, 2005, 119 Stat. 791, provided that, effective Oct. 1, 2006, subsec. (c) of this section is amended:->

<by striking "and" at the end of paragraph (2)(A)(i);>

<by striking the period at the end of paragraph (2)(A)(ii) and inserting a semicolon;>

<by adding at the end of paragraph (2)(A) the following new clauses:>

<(iii) amounts appropriated to the Commission for the fiscal year for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005; and>

<(iv) amounts appropriated to the Commission for homeland security activities of the Commission for the fiscal year, except for the costs of fingerprinting and background checks required by section 2169 of this title and the costs of conducting security inspections.>

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<by amending paragraph (2)(B)(v) to read as follows:>

<(v) 90 percent for fiscal year 2005 and each fiscal year thereafter.>

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1990 Acts. House Report No. 101-881, House Conference Report No. 101-964, and Statement by President, see 1990 U.S. Code Cong. and Adm. News, p. 2017.

1992 Acts. House Report No. 102-474(Parts I to IX), House Conference Report No. 102-1018, and Statement by President, see 1992 U.S. Code Cong. and Adm. News, p. 1953.

1993 Acts. House Report No. 103-111 and House Conference Report No. 103-213, see 1993 U.S. Code Cong. and Adm. News, p. 378.

1998 Acts. House Conference Report No. 105-749, see 1998 U.S. Code Cong. and Adm. News, p. 457.

1999 Acts. Statement by President, see 1999 U.S. Code Cong. and Adm. News, p. 93.

2000 Acts. House Conference Report No. 106-988, see 2000 U.S. Code Cong. and Adm. News, p. 1217.

2005 Acts. House Conference Report No. 109-190, see 2005 U.S. Code Cong. and Adm. News, p. 448.

Statement by President, see 2005 U.S. Code Cong. and Adm. News, p. S17.

References in Text

Section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, referred to in subsec. (c)(2)(A)(iii), is Pub.L. 108-375, Div. C, Title XXXI, § 3116, Oct. 28, 2004, 118 Stat. 2162, which is set out as a note under 50 U.S.C.A. § 2601.

Codifications

Amendment by Pub.L. 106-377, directing the substitution of "September 20, 2005" for "September 30, 1999" was executed by substituting "September 20, 2005" for "September 30, 2000", as the probable intent of Congress, in light of prior amendment by section 604 of Pub.L. 106-60 which struck out "September 30, 1999" and inserted "September 30, 2000". See 1999 Amendments note set out under this section.

Section 6101(e) of Pub.L. 101-508, omitted from this section. amended section 2213 of this title.

Section was enacted as part of the Omnibus Budget Reconciliation Act of 1990, not as part of the Atomic Energy Act of 1954, which comprises this chapter.

Amendments

42 U.S.C.A. § 2214

2005 Amendments. Subsec. (a)(1). Pub.L. 109-58, § 637(a)(1)(A), struck out "Except as provided in paragraph (3), the" and inserted "The".

Subsec. (a)(3). Pub.L. 109-58, § 637(a)(1)(B), struck out par. (3), which formerly read:

"(3) Last assessment of annual charges

"The last assessment of annual charges under subsection (c) of this section shall be made not later than September 20, 2005."

Subsec. (c)(2)(A)(i). Pub.L. 109-58, § 637(a)(2)(A), struck out "and" at the end of cl. (i).

Subsec. (c)(2)(A)(ii). Pub.L. 109-58, § 637(a)(2)(B), struck out the period at the end of cl. (ii) and inserted a semi colon.

Subsec. (c)(2)(A)(iii), (iv). Pub.L. 109-58, § 637(a)(2)(C), added cls. (iii) and (iv).

Subsec. (c)(2)(B)(v). Pub.L. 109-103, Title IV, in cl. (v), inserted "and fiscal year 2006" after "for fiscal year 2005".

Pub.L. 109-58, § 637(a)(2)(D), rewrote cl. (v), which, prior to the amendment made by Pub.L. 109-103, formerly read: "(v) 90 percent for fiscal year 2005."

2000 Amendments. Subsec. (a)(3). Pub.L. 106-377, § 1(a)(2) [Title VIII, (1)], substituted "September 20, 2005" for "September 30, 1999". See Codifications note set out under this section.

Subsec. (c)(1). Pub.L. 106-377, § 1(a)(2) [Title VIII, (2)(A)], substituted "any licensee or certificate holder of the Commission" for "any licensee of the Commission".

Subsec. (c)(2). Pub.L. 106-377, § 1(a)(2) [Title VIII, (2)(B)], rewrote par. (2), which formerly read:

"(2) Aggregate amount of charges

"The aggregate amount of the annual charge collected from all licensees shall equal an amount that approximates 100 percent of the budget authority of the Commission in the fiscal year in which such charge is collected, less any amount appropriated to the Commission from the Nuclear Waste Fund and the amount of fees collected under subsection (b) of this section in such fiscal year."

1999 Amendments. Subsec. (a)(3). Pub.L. 106-60, § 604, struck "September 30, 1999" and inserted "September 30, 2000". See Codifications note set out under this section.

1998 Amendments. Subsec. (a)(3). Pub.L. 105-245, § 505, substituted "September 30, 1999" for "September 30, 1998".

1993 Amendments. Subsec. (a)(3). Pub.L. 103-66, § 7001, extended latest date for last assessment of annual charges from Sept. 30, 1995, to Sept. 30, 1998.

1992 Amendments. Subsec. (c)(1). Pub.L. 102-486, § 2903(a)(1), substituted "Except as provided in paragraph (4), any licensee" for "Any licensee".

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Subsec. (c)(4). Pub.L. 102-486, § 2903(a)(2), added par. (4).

Effective and Applicability Provisions

2005 Acts. Pub.L. 109-58, Title VI, § 637(c), Aug. 8, 2005, 119 Stat. 791, provided that: "The amendments made by this section [amending this section and repealing 42 U.S.C.A. § 2213] take effect on October 1, 2006."

1992 Acts. Section 2903(b) of Pub.L. 102-486 provided that: "The amendments made [sic] subsection (a) [amending subsec. (c)] shall apply to annual charges assessed under section 6101(c) of the Omnibus Budget Reconciliation Act of 1990 [subsec. (c) of this section] for fiscal year 1992 or any succeeding fiscal year."

Policy Review

Section 2903(c) of Pub.L. 102-486 provided that: "The Nuclear Regulatory Commission shall review its policy for assessment of annual charges under section 6101(c) of the Omnibus Budget Reconciliation Act of 1990 [subsec. (c) of this section], solicit public comment on the need for changes to such policy, and recommend to the Congress such changes in existing law as the Commission finds are needed to prevent the placement of an unfair burden on certain licensees of the Commission, in particular those that hold licenses to operate federally owned research reactors used primarily for educational training and academic research purposes."

LIBRARY REFERENCES

American Digest System.

Licenses ↪ 28.

United States ↪ 53(6.1).

Key Number System Topic Nos. 238, 393.

NOTES OF DECISIONS

Exemptions 1

1. Exemptions

Low enriched uranium (LEU) manufacturing licensee was entitled to exemption from Nuclear Regulatory Commission (NRC) rule apportioning Omnibus Reconciliation Act (OBRA) fees on per license basis where licensee owned and operated two LEU facilities, each separately licensed, which in the aggregate were operationally equivalent to a single-plant, single-license facility. Allied-Signal, Inc. v. U.S. Nuclear Regulatory Com'n. C.A.D.C. 1993, 988 F.2d 146, 300 U.S.App.D.C. 198. Electricity ↪ 10

42 U.S.C.A. § 2214, 42 USCA § 2214

42 U.S.C.A. § 2214

Current through P.L. 109-169, P.L. 109-173 approved 02-15-06

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END OF DOCUMENT

Court Decision, 1993

Allied Signal, Inc. v. NRC and Combustion Engineering v. NRC

This document is provided as supplemental information. In 1990 Congress required the NRC to collect annual charges and user fees approximating 100 percent of the agency's budget, effective for fiscal year 1991. NRC's FY 1991 fee rule imposed annual charges against virtually all of the agency's licensees in an effort to be more fair and equitable. Previously, it had levied annual charges only on operating nuclear power reactors, which constitute the most significant group of NRC licensees.

On July 10, 1991 (56 FR 31472), the NRC published a final rule in the *Federal Register* that established the Part 170 professional hourly rate and the materials licensing and inspection fees, as well as the Part 171 annual fees, to be assessed to recover approximately 100 percent of the FY 1991 budget. In addition to establishing the FY 1991 fees, the final rule established the underlying basis and methodology for determining both the Part 170 hourly rate and fees and the Part 171 annual fees. The FY 1991 rule was challenged in Federal court by *Allied Signal, Inc. v. NRC and Combustion Engineering v. NRC*.

The court remanded two issues to the NRC for further consideration. Despite the remand, the court did not vacate the rule. One of the remanded issues related to the exemption from annual fees for nonprofit educational institutions. The second remand issue dealt with LLW disposal costs.

2 of 13 DOCUMENTS

**Allied-Signal, Inc., Petitioner v. U.S. Nuclear Regulatory Commission and the
United States of America, Respondents Combustion Engineering, Inc., Petitioner v.
U. S. Nuclear Regulatory Commission and the United States of America,
Respondents Combustion Engineering, Inc.; Petitioner v. U. S. Nuclear Regulatory
Commission and the United States of America, Respondents Allied-Signal, Inc.,
Petitioner v. U. S. Nuclear Regulatory Commission, Respondent**

No. 91-1407, No. 91-1435, No. 92-1001, No. 92-1019

**UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA
CIRCUIT**

300 U.S. App. D.C. 198; 988 F.2d 146; 1993 U.S. App. LEXIS 4684

**November 5, 1992, Argued
March 16, 1993, Decided**

PRIOR HISTORY: [**1] Petitions for Review of An Order of the U.S. Nuclear Regulatory Commission.

COUNSEL: John Hoff, with whom Leonard A. Miller was on the brief, for petitioner Allied Signal, Inc. in Nos. 91-1407 and 92-1019.

Harold F. Reis, with whom Michael F. Healy was on the brief, for petitioner Combustion Engineering, Inc. in Nos. 91-1435 and 92-1001.

L. Michael Rafky, with whom William C. Parler, General Counsel, John F. Cordes, Sr., Solicitor, and E. Leo Slaggie, Deputy Solicitor, U.S. Nuclear Regulatory Commission, and Katherine Adams, Attorney, Department of Justice, were on the brief, for respondents.

JUDGES: Before: Silberman, Williams and D.H. Ginsburg, Circuit Judges. Opinion for the Court filed by Circuit Judge Williams.

OPINION BY: WILLIAMS

OPINION:

[*148] Williams, *Circuit Judge*:

Congress has directed the Nuclear Regulatory Commission to recover 100% of its costs from those who

receive its regulatory "services" and to allocate the costs "fairly and equitably" among those recipients. Petitioners Allied Signal and Combustion Engineering challenge an NRC rule making that allocation; they also attack the NRC's denial of various requested exemptions from the fees. They allege that the Commission's [**2] actions did not satisfy Congress's "fair[] and equitable" standard and also were arbitrary and capricious. We agree in part and remand the case to the Commission.

Under authority granted in the Independent Offices Appropriation Act of 1952 ("IOAA"), 31 U.S.C. § 9701, the Commission has long charged fees to any person who received a "service or thing of value" from the Commission. (That term includes, perhaps oxymoronically, "regulatory services" such as permit processing.) In 1986, Congress expanded the NRC's recovery authority in the Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA"), Pub. L. No. 99-272, 100 Stat. 147, and authorized it to recover 33% of its total annual budget through fees. Because IOAA fees could not generate that sum, Congress allowed the NRC to assess fees not only for the service-specific costs covered by IOAA but also for the Commission's *generic* costs of operation (e.g., costs associated with rulemaking proceedings or safety research). Later acts raised the budget recovery level to 45% for the years 1988 through 1990. n1 In carrying out the 33% and 45% recovery mandates, the Commission imposed fees for [**3] generic costs only on licensees who operated nuclear

power reactors, reasoning that they absorbed the most regulatory resources. See *Florida Power and Light Co. v. United States*, 269 U.S. App. D.C. 377, 846 F.2d 765 (D.C. Cir. 1988).

n1 See *Omnibus Budget Reconciliation Act of 1987*, Pub. L. No. 100-203, 101 Stat. 1330-275; *Omnibus Reconciliation Act of 1989*, Pub. L. No. 101-239, 103 Stat. 2132.

In the 1990 Omnibus Reconciliation Act ("1990 OBRA"), Pub. L. No. 101-508, 104 Stat. 1388-299, Congress raised the recovery mandate for 1991-95 to 100% of the Commission's budget, see Pub. L. No. 101-508, § 6101 (codified at 42 U.S.C. § 2214), and told the Commission to promulgate a rule apportioning the generic fees "fairly and equitably" among licensees. *Id.* at § 6101(c)(3) (codified at 42 U.S.C. § 2214(c)(3)). The legislation further said that "to the maximum extent practicable, the charges [assessed by the rule] shall have a reasonable [*4] relationship to the cost of providing regulatory services and may be based on the allocation of the Commission's resources among licensees or classes of licensees." *Id.* After notice and comment, the Commission issued a rule purporting to carry out these directions. In doing so, it imposed fees on virtually all licensees. See *Revision of Fee Schedules; 100% Fee Recovery (the "Final Rule")*, 56 *Fed. Reg.* 31,472 (July 10, 1991) (codified at 10 CFR §§ 52, 71, 170, and 171).

[*149] I

Allied, a uranium hexafluoride (UF) converter, first complains about the Commission's failure to consider the inability of UF converters to "pass through" OBRA fees to customers--i.e., to recoup them in whole or in part by raising prices. Allied asserts that the Commission's treatment of the issue was inconsistent with OBRA and also with the NRC's treatment of other licensees' passthrough capability.

Allied's claim rests on simple facts. It explains that domestic UF converters compete with foreign UF converters who are not subject to NRC licensing and thus are not required to pay NRC fees. Competition, it says, is stiff; success in bidding on UF conversion contracts often turns on [*5] differentials as small as one cent per pound. Fees imposed under the Final Rule, however, add up to almost five cents per pound of UF. Because adding

the fee to their prices will drive customers to foreign converters, domestic UF converters cannot pass the costs forward. Allied draws a sharp contrast between UF converters and other NRC licensees such as electric utilities, which it says are readily able to pass the costs on to customers. The Commission disputes none of these assertions.

Allied's statutory theory rests both on the 1990 OBRA and on the legislative history of 1986 COBRA--the latter being explicitly linked to the 1990 OBRA via its legislative history. Section 6201(c)(3) of the 1990 OBRA (codified at 42 U.S.C. § 2214(c)(3)), provides that

the Commission shall establish, by rule, a schedule of charges *fairly and equitably* allocating the aggregate amount of charges ... [necessary to recoup 100% of the Commission's budget].

(Emphasis added.) The Conference Report to the 1990 OBRA states that the Commission has "the discretion ... to assess annual charges against all of its licensees." H.R. Conf. Rep. No. 964, 101st Cong., [*6] 2d Sess. (1990), at 961. At the same time, however, the Report expressly "reaffirms the statement of the [floor] managers [of 1986 COBRA] on the present authority" of the NRC to assess fees. *Id.* That statement in turn declared that it was the "intention of the conferees that, because certain Commission licensees, such as universities, hospitals, research and medical institutions, and uranium producers have *limited ability to pass through the costs of these charges* to the ultimate consumer, the Commission should *take this factor into account* in determining whether to modify [its] current fee schedule for such licensees." 132 Cong. Rec. H3797/3 (March 6, 1986) (emphases added).

The statutory language and legislative history do not, in our view, add up to an inexorable mandate to protect classes of licensees with limited ability to pass fees forward. Even the 1986 legislative history, written in the context of COBRA's less-demanding 33% recovery mandate, only directed the Commission to "take ... account" of passthrough considerations, which would not necessarily entail that those considerations control. Moreover, the 1990 Conference Report explicitly said that Congress preserved [*7] NRC's discretion to impose fees on "one or more classes of

non-power-reactor licensees if the Commission believes it can fairly, equitably, and practicably do so." H.R. Conf. Rep. No. 964, 101st Cong., 2d Sess. (1990), at 961. Even if we were to give the legislative history great weight, we could not conclude that Congress has "directly spoken" to whether the Commission must spare licensees that cannot pass the fees forward. See *Chevron v. Natural Resources Defense Council*, 467 U.S. 837, 842, 81 L. Ed. 2d 694, 104 S. Ct. 2778 (1984). The question therefore is whether the Commission's interpretation is reasonable. See *id.* at 845; *Chemical Manufacturers Ass'n v. EPA*, 287 U.S. App. D.C. 49, 919 F.2d 158, 162-63 (D.C. Cir. 1990).

The Commission offered two justifications for its decision to disregard the passthrough concerns of UF converters. First, it argued that it could not adjust fees based on competitive impact because the 100% recovery mandate of 1990 OBRA [*150] would require any abatement of fees for one class of licensees to be recouped from others. See Final Rule, 56 Fed. Reg. at 31,476; Letter of NRC Denying Allied Exemption [**8] Request at 3-4. However, while one could argue that it is unfair to charge any regulatee more than its pro rata share of generic costs (and not unfair to excuse some regulatees from paying all of their pro rata share when less than 100 percent must be recovered), that potential explanation does not carry the day here. The Commission's willingness to make an exemption for nonprofit educational institutions belies the assertion that it will not charge any regulatee more than its pro rata share.

Nonetheless, the Commission also pointed to an entirely legitimate concern--the difficulty of assessing the ability of its 9000 licensees to pass through costs. See NRC Denial of Allied Exemption Request at 4. A firm's ability to pass through a burden to its customers depends on the price elasticities of supply and demand. "Inelastic suppliers and demanders pay taxes." Donald N. McCloskey, *The Applied Theory of Price* 324 (1982). (While the fees are technically not taxes, the same principle applies to costs generally.) Because these elasticities are typically hard to discover with much confidence, the Commission's refusal to read the statute as a rigid mandate to do so is not only understandable [**9] but reasonable.

It does not follow, however, that the Commission's application of the statute was in every respect reasonable. If capacity to pass the fees through can be determined with reasonable accuracy and at reasonable cost for

specific classes of licensees, there appears no reason why the Commission should not do so. In fact, the Commission has made such a determination for another class of licensees, even though that class's claim seems no better founded than the claim of the domestic UF converters.

Specifically, in the Final Rule the Commission exempted nonprofit educational institutions from payment of certain 1990 OBRA fees. See 56 Fed. Reg. at 31,487/1-2, 31,491/1-2; 10 CFR § 171.11(a). This appears to be based at least in part on the rationale that such institutions "have a limited ability to pass the[] costs on to others." Final Rule, 56 Fed. Reg. at 31,477/1-2 (1991). n2 See also 56 Fed. Reg. at 31,487/2 (speaking of educational institutions' "limited ability to pass regulatory costs through to their clients").

n2 This passage relates to the service-specific fees, but no independent justification for the exemption from generic costs appears, and the Commission here seems to assume that the explanation extends to the generic. See Commission Brief at 8, 19-20.

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The Commission nowhere explains how it was able to make this finding for non-profits but is not able to resolve the elasticity claim one way or the other for domestic UF converters. The Commission does not so much as hint at data relating to the markets in which educational institutions serve their "clients". n3 Neither does the Commission explain why a demand elasticity calculation was any easier or less costly to complete for educational institutions than for UF converters. Thus the Commission's denial of relief for UF converters, both at the rulemaking and the exemption stages, cannot be viewed as reasoned decision-making.

n3 We note that for educational institutions with certain types of licenses, the exemption is unavailable with respect to activities such as "remunerated services ... [performed for] other persons" and "activities performed under a Government contract". See 10 CFR § 171.11(a)(2) & (4). This exclusion from the exemption, however, is limited to specific types of licenses, namely "byproduct, source or special

nuclear material licenses."

[**11]

An inadequately supported rule, however, need not necessarily be vacated. See, e.g., *International Union, UMW v. FMSHA*, 287 U.S. App. D.C. 166, 920 F.2d 960, 966-67 (D.C. Cir. 1990); *Maryland People's Counsel v. FERC*, 247 U.S. App. D.C. 333, 768 F.2d 450, 455 (D.C. Cir. 1985); *ICORE, Inc. v. FCC*, 985 F.2d 1075, Slip op. at 12 (D.C. Cir. 1993). The decision whether to vacate depends on "the seriousness of the order's deficiencies (and thus the extent of doubt whether the agency chose correctly) and the disruptive consequences of an interim [*151] change that may itself be changed." *International Union*, 920 F.2d at 967.

It is conceivable that the Commission may be able to explain how the principles supporting an exemption for educational institutions do not justify a similar exemption for domestic UF converters. For example, the Commission may develop a reasoned explanation based on an alternative justification that it offered for the non-profit educational institutions' exemption—that "educational research provides an important benefit to the nuclear industry and the public at large and should not be discouraged." 56 Fed. Reg. at 31,477 [*12] 12. While this reference is quite vague—the benefits of UF conversion can hardly be deprecated merely because the converters operate in a conventional market—perhaps the Commission's focus is on *education*, with the idea that education yields exceptionally large externalized benefits that cannot be captured in tuition or other market prices. We cannot tell at this point whether the exemption for educational institutions could be reasonably rooted in such a theory, but there is at least a serious possibility that the Commission will be able to substantiate its decision on remand.

At the same time, the consequences of vacating may be quite disruptive. Even assuming that we could merely vacate the rule insofar as it denies an exemption for UF converters, the Commission would need to refund all 1990 OBRA fees collected from those converters; in addition it evidently would be unable to recover those fees under a later-enacted rule. See *Bowen v. Georgetown University Hospital*, 488 U.S. 204, 208-09, 102 L. Ed. 2d 493, 109 S. Ct. 468 (1988) (rejecting retroactive application of rules even if operating only to cure defects in previously enacted rule). Therefore, because of the

possibility [*13] that the Commission may be able to justify the Rule, and the disruptive consequences of vacating, we remand to the Commission for it to develop a reasoned treatment of exemption claims based on passthrough limitations.

Combustion Engineering also raised a related passthrough argument—that long-term fixed price contracts in its sector of the industry constrain its ability to pass through costs and therefore require some sort of gradual phase-in. See Comments of Combustion Engineering, May 13, 1991 at 2. On remand, the Commission must address this claim as well.

II

Allied also argues that the Commission's apportionment of fees *within* the class of domestic UF converters violated the 1990 OBRA. Allied argues (again without dispute by the Commission) that it has required much less regulatory attention than the only other member of the UF converter class, the Sequoyah Fuels Corporation, because of the latter's environmental problems. See NRC Denial of Allied Exemption Request at 7. Thus, Allied says, allocation of the fees equally between the two UF converters violated the 1990 OBRA's directives that OBRA charges be apportioned "fairly and equitably" and that "to the maximum extent [*14] practicable, the charges shall have a reasonable relationship to the cost of providing regulatory services." Pub. L. No. 101-508, § 6101(c)(3) (codified at 42 U.S.C. § 2214(c)(3)). Allied contends that the Commission instead ought to have divided the class's fees either in proportion to the amount of NRC attention required by each converter or in proportion to the service-specific (IOAA) fees paid by the two converters.

Allied's argument fails because it disregards the premise that 1990 OBRA fees are not service-specific: they do not relate to identifiable services but rather constitute *generic* costs. See Final Rule, 56 Fed. Reg. at 31,472. Assuming that the Commission correctly classified the costs in question (and Allied does not contest the classification), there is a presumption that even regulatory effort precipitated by the circumstances of a single licensee of a given class will yield results, such as research findings or regulations, of roughly equal importance for all members of the same class.

[*152] This conclusion is not undermined by the Commission's willingness to apportion 1990 OBRA fees

between groups [**15] of licensees on the basis of the attention required by each group. See Final Rule, 56 Fed. Reg. at 31,476; Letter of NRC Denying Allied Exemption Request at 2, 4-5. First, the spillover of benefits seems far greater within a group of licensees than between groups. See *id.* at 5. Second, the administrative costs of group-level apportionment are obviously much lower than licensee-level apportionment because the number of licensees greatly exceeds the number of groups.

Here, neither of the measuring devices proposed by Allied was workable or accurate enough to warrant our holding the Commission's rejection of them arbitrary or capricious. Any correlation between a licensee's IOAA (licensee-specific) costs and its benefits from generic costs seems purely coincidental. And to use as a yardstick each member's tendency to precipitate regulatory effort would not only disregard spillover effects but would raise exceptional measurement problems. See NRC Denial of Allied Exemption Request at 4-8.

III

Allied makes a narrower attack on the Commission's rejection of intra-group apportionment, namely that the Commission was arbitrary and capricious in failing [**16] to apportion the generic costs associated with the disposal of low level radioactive waste ("LLW") on the basis of each licensee's actual waste. See Final Rule, 56 Fed. Reg. at 31,497; 10 CFR § 171.16(e). At the class level, the Commission allocated costs in accordance with each class's contribution to the total quantity of LLW. Because materials licensees (a group that includes UF converters) collectively generate 40% of the nation's LLW, the Commission allocated 40% of its LLW costs to that class. See *id.* When it turned to apportionment of those fees among the materials licensees, however, the Commission abandoned that approach and simply assessed each large fuel facility (of which Allied is one) an identical charge of \$ 143,500. For explanation, the NRC offered only the conclusory statement that "the Commission ... believes ... the surcharge should be the same for all large fuel facility licensees." See Final Rule, 56 Fed. Reg. at 31,481.

The Commission provides no rationale for apportioning costs among classes of LLW producers on the basis of LLW output but refusing to apply that same yardstick in apportioning generic costs [**17] within

classes, and no rationale is readily apparent. While it is conceivable that the real benefit of LLW disposal services is merely the availability of such services--in which case a flat fee would make sense--any such idea is inconsistent with the Commission's method of apportioning LLW fees among classes of licensees, which appears to assume that benefit is proportional to LLW quantity. If, on the other hand, any licensee's benefit from LLW disposal is directly proportional to its LLW disposal, apportioning even generic costs on the basis of output seems to make sense--not only as to classes but also as to individual licensees. Finally, assuming that the Commission calculated each class's quantity of LLW waste from data supplied by each licensee (as seems necessarily true), it is hard to see any administrative problem with apportioning the fees within the class on the basis of output; the data are available and the required computations would be rudimentary.

In applying the balancing of *International Union* and like cases, we here give little weight to the possibility that the Commission could pull a reasonable explanation out of the hat. Nonetheless, vacating the intra-class [**18] apportionment of LLW costs would give licensees a peculiar windfall; even ones that *benefited* from the Commission's choice would presumably be entitled to a refund, and, under *Georgetown University Hospital*, the LLW costs could be recovered from no one. To be sure, the costs are not great, absolutely or as a proportion of the Commission's \$ 465 [*153] million budget for FY 1991--\$ 3.8 million. See 56 Fed. Reg. at 31,486, 31,497. But that alone is hardly a reason to create such a windfall. Accordingly, we refrain from vacating the rule. If on remand the Commission concludes that the apportionment must be in accordance with usage, then those firms whose burden is lower under a new, non-arbitrary, rule should be entitled to refunds of the difference.

If indeed the remand leads to replacement of the per-licensee allocation, and licensees enjoy only refunds for the difference between liability under the old rule and liability under the new (rather than total refunds), it might be argued that such a result allows the new rule to have "retroactive effect", in violation of *Georgetown University Hospital*. See 488 U.S. at 208. There [**19] is, plainly, some retroactive effect. The effect, however, is only to define that aspect of the old rule that must be cut away as legally excessive. We do not read *Georgetown* as barring so limited a retroactive impact.

IV

Finally, Combustion Engineering challenges the Commission's decision to allocate OBRA fees equally to each low enriched uranium ("LEU") manufacturing license instead of dividing the fees equally among the LEU manufacturing licensees. Combustion owns and operates two LEU facilities, each separately licensed, and Combustion asserts that in the aggregate the two are operationally equivalent to the single-plant, single-license, facilities of the other LEU manufacturers. At oral argument Combustion explained that it has two licenses for the facilities only because of historical chance; it bought a company with a separate license almost 20 years ago and until the Commission implemented the current OBRA fee schedule there has never been any reason to consolidate the licenses. As before, the Commission disputes none of these contentions.

Combustion attacks both the regulation imposing the "equal fee per license" rule and the Commission's denial of an exemption. [**20] Both claims rest ultimately on the 1990 OBRA's direction that fees must be apportioned "fairly and equitably" and that "to the maximum extent practicable, ... charges shall have a reasonable relationship to the cost of providing regulatory services." Pub. L. No. 101-508, § 6101(c)(3) (codified at 42 U.S.C. § 2214(c)(3)). Although we find the first claim unconvincing, we agree that the Commission has not justified its refusal to give the requested exemption.

The argument that the "equal fee per license" rule is "unfair and inequitabl[e]" is persuasive only on the ground that the rule produced troubling results when applied to Combustion's circumstances--which Combustion itself asserts are unusual. We see no reason for requiring the Commission to attend to that rather rare situation in the rule itself, cf. *NLRB v. Bell Aerospace Co.*, 416 U.S. 267, 40 L. Ed. 2d 134, 94 S. Ct. 1757 (1974), especially as the generic rule allowed (generically) for exemption. n4

n4 Insofar as Combustion argues, in parallel with Allied, that § 6101(c)(3) of OBRA generally requires intra-group apportionment on the basis of factors such as the amount of attention a licensee requires, the competitive position of the licensee, and the safety risks posed by the licensee's

activities, we reject it for the reasons stated as to Allied.

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Combustion's exemption argument, however, has merit. The Commission's own criteria call for an exemption if the licensee can show that "the assessment of the annual fee would result in a significantly disproportionate allocation of costs to the licensee." 10 CFR § 171.11(d). The double assessment against Combustion's two licenses increased its OBRA fees by \$ 836,500. Against this, the Commission is able to point to almost nothing by way of greater costs. Speaking to the issue in unusually murky, discursive language, the NRC in substance could point to only two additional burdens--the need to mail an extra copy of certain NRC publications to the second facility and the need for two different NRC regional offices to monitor and respond to [*154] allegations about the two plants. See NRC Denial of Combustion Exemption Request at 5-6.

The double burden for Combustion, measured against *de minimis* additional burdens for the Commission, amply overcomes the hurdle established by 10 CFR § 171.11(d). n5 Thus the exemption denial is arbitrary and capricious. We therefore direct the Commission to grant an exemption for Combustion on the additional fees collected as a result of the double-licensing [**22] of its operation. n6

n5 10 CFR § 171.11(d) also contains two other factors that the Commission shall consider when evaluating an exemption request. Although parts of § 171.11(d) are ambiguous regarding whether an applicant must fulfill all, or only one, of the factors, the fact that an applicant could not "fulfill" the criterion listed in § 171.11(d)(3)--"any other relevant matter that the licensee believes shows that the annual fee was not based on a fair and equitable allocation of NRC costs"--reveals that the "factors" should not be read as conjunctive requirements. The factors instead seem to be best understood as independent considerations which can support an exemption.

n6 We are not required to address Allied's fee exemption request because of our previous disposition of Allied's other claims. The aspects of Allied's request dealing with passthrough

ability and LLW fees are almost certain to stand or fall along with the remanded claims; and the aspect claiming that OBRA requires licensee-specific calibration of fees fails.

reasoned and coherent treatment of (1) licensees' claims for special treatment on the basis of inability to pass the burden of the fees through to customers and (2) the method of apportioning generic LLW disposal costs among materials licensees. In addition, we direct the Commission to grant an exemption to Combustion for the generic fees attributable to the double-licensing of its LEU operation.

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We remand the case to the Commission for a

So ordered.